

**THE ARAB-ISRAEL DISPUTE DURING THE CLINTON
ADMINISTRATION**

THE LIMITS OF AMERICAN POWER

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Declaration

I hereby declare that this is my own work and that, to the best of my knowledge, it contains no material previously published or written by another person, except where due acknowledgement is made in the text of this thesis. Nor does it contain material that to a substantial extent has been accepted for the award of any other degree or diploma of a university or institute of higher learning.

I hereby certify also that the work contained in this thesis has not been submitted for a higher degree to any other university or institution.



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Date: 2nd February 2004

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Abstract

The focus of this thesis is the employment of the power of the United States to effect a comprehensive settlement of the Arab-Israel dispute. America's power was used by President George Bush and his successor, President Bill Clinton, to achieve that goal. This thesis discusses the nature of power and the various instruments of statecraft, short of force, through which power may be applied in international relations in order to produce an outcome. It analyses the efficacy of the application of the instruments in relation to the dispute.

The demise of the Soviet Union, and an improved condition of regional cooperation evident during the 1991 Gulf War, encouraged President Bush to launch yet another initiative by the United States to produce a settlement of the Arab-Israel dispute. His Administration was not deterred by the failure of previous American initiatives, and showed both resolve and diplomatic skill in bringing all the concerned parties into negotiation at Madrid in October 1991. Critical American interests in the Middle East were at stake. These included support for Israel, assurance of oil supply at affordable prices, a desire to curb the proliferation of weapons of mass destruction, and concern about terrorist activity emanating from the region. At the point of intersection of all these interests lay contentious issues related to Israel's security and Palestinian self-determination. If the United States could defuse these issues, it would demonstrate America's ability to use its predominance in international relations to introduce peaceful change into the society of states.

A comprehensive settlement of the dispute would require a resolution of differences between Israel and respectively Jordan, Lebanon, Syria and the Palestinians. Clinton and his Administration persisted throughout the eight years of his presidency in the pursuit of that objective. They engaged directly with the parties, and co-opted the assistance of other regional states and international donors. Some progress was made on their watch. A peace treaty was concluded between Israel and Jordan, and several agreements were signed between Israel and the Palestinians. A settlement between Israel and Syria came close to conclusion. A resolution of the core 'Palestinian' element proved intractable.

Although the 'land for peace' proposition on which the peace process was based would require Israel to make territorial concessions, peace was not a zero sum game. The Americans viewed it as a 'public good' that would lay the basis for regional cooperation and recognition of Israel as a legitimate actor in regional affairs. Israeli governments were undecided whether to pursue a settlement first with Syria or the Palestinians and the Clinton Administration failed adequately to address the need for prioritisation.

The probable shape of an outcome of the negotiation between Israel and the Palestinians did not satisfy all of their constituents. Extremists in both communities set out to derail the peace process. A growing sense of dispossession and humiliation among Palestinians was fostered by Israel's practise of building settlements on occupied territory claimed by the

Palestinians. A cycle of Palestinian insurgency and Israeli retribution frustrated the negotiation. The nascent Palestinian Authority proved unable or unwilling to restrain its extremist element; and Israeli governments refused to halt settlement-building.

The international community had welcomed the landmark signature of a Declaration of Principles between Israel and the Palestinians in 1993, and international donors contributed toward its realisation. International confidence in the peace process was corroded by the cycle of violence and reprisal, and condemnation of Israel's settlement policy was launched in the United Nations. Clinton was opposed to Israel's activity, but felt constrained to protect the peace process against international criticism because it demonstrated that, after years of hostility, negotiation could produce positive results. Keeping the negotiation afloat became a major preoccupation of the Clinton Administration, and its success in doing so was one of its principal achievements.

This thesis employs a methodology of assessing the efficacy of Clinton's application of relevant instruments of statecraft. It assumes that, in order to attain its goal, a state will employ the instruments at its disposal in the most efficacious manner. Failure to achieve an objective is presumed to be indicative of the limits of the state's power. A *post hoc* evaluation has shown reasons for the failure of the Clinton Administration to achieve its objective. They include a reluctance to employ all the instruments at its disposal. Principles have emerged from that analysis that would permit a more efficacious use in other circumstances of the instruments by which American power is applied.

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Introduction

This thesis analyses the exercise of the power of the United States of America in order to achieve a declared objective. The objective was a comprehensive settlement of the Arab-Israel dispute. Pursuit of that goal was launched at Madrid in 1991 by President George Bush (1989-93) and carried forward by his successor, President Bill Clinton (1993-2001). The concentration here on the Clinton Administration necessarily reflects the eight years it devoted to the matter. That Clinton was unable to persuade the concerned parties to conclude a comprehensive settlement before the expiry of his presidency is a matter of fact.

There are a number of reasons for the adoption of a Middle East settlement as a case study of the exercise of American power. Underpinning them is the fact that, since the demise of the Soviet Union in 1991, the United States has enjoyed international predominance, militarily, economically, culturally and technologically. 'Never since Rome has one country so nearly dominated the world', as Kenneth Waltz put it.¹ The United States's use of its authority to influence global developments was, and continues to be, a matter of considerable interest and discussion. There were many people in America and elsewhere in the early 1990s that hoped that its power would be used to reshape the structure of international relations in favour of a global civil society. The possibility of the United States employing force in defence of its vital interests was not disputed, but its military and economic pre-eminence was, and is, so overwhelming that resort to force was presumed to be an activity of last resort. This gave rise to an expectation that the United States had a capacity in most situations to influence outcomes in its own favour without having to employ force.

The Bush Administration launched its peace initiative in the context of its success in forging a widespread coalition to prosecute the Gulf War over Kuwait. There was a widespread hope that the leadership shown then, and in

¹ Waltz, K.N. (2002). *The Continuity of International Politics. Worlds in Collision: terror and the future of global order*. K. Booth and T. Dunne. Basingstoke UK, Palgrave Macmillan p.350; Reus-Smit, C. (2003). "The misleading mystique of America's material power." *Australian Journal of International Affairs* Vol.57 No. 3 p.423

arranging the Madrid conference, could introduce a benign era of international cooperation into the Middle East.

That background informs, in part, the reason for the choice of the Arab-Israel dispute as a case study, but it is not the sole determinant. The dispute lay at the intersection of a number of important American interests and its resolution was a significant objective in its own right. Second, it provided an early example of the projection of the United States's political power after becoming the world's sole superpower. It might be assumed that, in the absence of a powerful rival, the United States was well-placed to achieve its objective. Third, it received the sustained attention of the Bush and Clinton Administrations for over a decade. Fourth, the fact that the United States was unsuccessful in effecting its desired outcome raises questions about the limits of American power. Fifth, while care must be exercised about generalising from a particular case study, the possibility exists that the study might reveal some lessons about the projection of power that could be applicable in other circumstances.

While the objective of a comprehensive settlement of the Arab-Israel dispute was common to both presidencies, Clinton's participation was a consequence of an inheritance. He was elected to office on policies that focussed more on domestic issues than international ones, and whose address was primarily economic. His foreign policy vision was largely crafted after his swearing-in, and its principal features articulated in September/October 1993. His vision had no influence on the drafting of the Oslo accord that was signed on 13 September, 1993. Attempts were made by the Administration, subsequent to the conclusion of that landmark document, to steer the negotiation process in directions that were consistent with a realisation of the president's global vision, especially his concern to see an enlargement of the community of democratic states committed to market economics. This was evident in its promotion of regional cooperation, and utilisation of democratic processes in relation to the inauguration of the institutions of Palestinian governance, although there were limits to which Clinton's global aspirations could provide a useful agenda for a Middle East settlement.

This thesis is about a great power's effort to produce a desired outcome. In order to secure its goal, the great power must convince 'others' to

acquiesce in its wishes. It does so through the projection of its power, and is able to employ a variety of measures to attain its objective. It calculates its 'cost' in terms of resources, energy and reputation. If it is unable to achieve its desired outcome, a possible weakness may have been exposed. For their part, the targeted 'others' must weigh the 'cost' to themselves of resisting America's efforts. This suggests that in the exercise of its statecraft the United States would manipulate its unparalleled resources in order to bring home to targeted 'others' that accommodating America's objective would be at best beneficial to their long-term interests, or at least a less expensive option for them than resistance to it.

A state's decision-makers employ cognitive and other processes in identifying national objectives. Their analysis extends to dissection of the state's competing agendas and objectives. Such considerations are germane to the United States's decision to prosecute a comprehensive settlement of the Arab-Israel dispute. The reasons why American Administrations should have decided to act in relation to the dispute, and how they came to that decision, deserve study in their own right. Four considerations that have a bearing upon America's national interests in the Middle East are discussed in chapter 2. That discussion provides a foundation for the Bush Administration's decision to commit America's power to a resolution of the dispute. The matters addressed in that chapter are not, however, the only ones to have determined the Administration's course. Sufficient information is provided in chapter 3 to illustrate why Bush decided in 1991 that circumstances were conducive to a resolution of the dispute; that the parties principal were likely to be receptive to American intervention; that the objective could be pursued without detriment to other American objectives; and that a settlement of the dispute, if it could be achieved, would demonstrate America's capability to produce a 'public good'. Although Clinton was not wholly convinced at the outset of his presidency of the desirability of American involvement in this matter, an early assessment by his secretary of state confirmed regional interest in the United States's continuing the search for a settlement of the dispute. This was consistent with the Clinton Administration's view that the United States be engaged and exercise leadership in the unipolar world. Leadership was not without risk: failure could reveal American impotence.

In deciding to pursue an objective, decision-makers within a democratic and pluralist state, like the United States, must weigh a number of factors, some of which may be advanced by special interest groups. There are factors intrinsic to those in authority and their immediate cohort, who share a common philosophical outlook. Agreement among decision-makers about desired ends does not necessarily translate into agreement about means. The framing of objectives in broad terms may help bridge differences among them, and can also assist in minimising domestic opposition. There are others in the community who might support the objectives of the decision-makers, attracted by the prospect of material benefit for themselves or an expansion of the country's sphere of influence. Given the scope for divergent views, it might be thought that the final decision by a great power to project its power would be the product of rational debate and policy-making within the government. In fact sectional interest, extending to both ends and means, can often inhibit rational debate, and influence the decision to exercise power. Ultimately, decision-makers are exposed to international criticism and accountable to their domestic constituency for the purposes and manner in which the state's power has been projected.

The instruments through which a state's power may be projected are identified in chapter 1. If the limits of America's power are ever to be established, other than in the context of the use or threat of use of force, it can only be through an exhaustive analysis of the efficacy with which the United States employed the instruments of statecraft at its disposal. An analysis of how they have been employed permits a methodological assessment of their efficacy, and a rational appreciation of the effectiveness of the projection of American power. It encourages inquiry into a state's commitment to attaining its professed objectives, providing a sounder basis for assessment than impression, intuition or conventional wisdom. Assumptions that America's Middle East policy is 'all about oil', or 'the influence of the pro-Israel lobby', or some variant of the two such as 'America exerts sufficient authority over Israel to satisfy Arab oil producers that it is doing *something* to address Palestinian grievances', might be challenged, or sharpened, by a close analysis of the United States's use of the instruments of power. Has the most efficacious choice of instrument been made; have the chosen instruments been

used effectively; if not, why not? What does this inquiry say about the motivation of American decision-makers? America's interventions in the process of negotiation between Israel and Jordan, Lebanon, Syria and the Palestinians are analysed in these terms. A study of the efficacy of the instruments chosen to address particular issues as they arose, and the effectiveness with which they were employed, enables a *post hoc* evaluation to be made. The evaluation could be useful in identifying how power might be projected more effectively in other situations.

The study does not purport to be a comprehensive history of the negotiation, under the aegis of the United States, between Israel and the other four parties. Sufficient narrative has been presented, however, to illustrate changing circumstances and to show how the Clinton Administration responded by deploying different instruments of power at its disposal in order to achieve its objective. Philosophic questions about the rights of the parties principal and the rectitude of their causes are relevant to this study only insofar as they influenced American Administrations in determining which instrument of power might most efficaciously lead to the attainment of a negotiated comprehensive settlement of the dispute.

The negotiation structure devised by Bush's Administration proved capable of producing positive results. For a brief period, from 1993 to 1996, it seemed as though the American initiative in bringing the concerned parties into negotiation to effect a comprehensive settlement would be successful. Bush had been able to build upon an unprecedented, though not universal, measure of regional participation during the Gulf War of 1991, and a climate of superpower cooperation, to bring the parties together at Madrid. As his successor, Clinton presided over the signing of the Declaration of Principles on Interim Self-Government Arrangements at the White House in September 1993. The signal achievement of a compact between Israel and the Palestinians dressed a communal sore that had been festering since at least the Arab Revolt of the 1930s. Signature of the Declaration offered prospect of a peaceful settlement with other states that were party to the Arab-Israel dispute; and commanded the support of the United Nations (UN). A peace treaty was concluded between Israel and Jordan; and several agreements were signed between Israel and the Palestinians subsequent to their Declaration. Israel and

Syria came close to agreement; and the Middle East and North Africa economic summits that were conducted in close association with the peace talks demonstrated briefly that Israel could be accepted as a legitimate player within the region.

But the Madrid process might reasonably be determined to have failed by the expiry of Clinton's presidency in early 2001. For reasons that will be discussed in this thesis, the negotiation with Syria had been terminated in March 2000, and the *al-Aqsa intifada* which began in September of that year was jeopardising any possibility of fruitful negotiation between Israel and the Palestinians. Nevertheless, Clinton's legacy continues. He advanced parameters in December 2000 that remain a basis for discourse on the compass of issues between Israel and the Palestinians, including the future of Jerusalem and the question of Palestinian refugees, on which some progress has been made in informal discussion. His framework has fostered unofficial negotiation in Geneva between some Israelis and Palestinians, and produced a 'model' agreement. The spotlight has, however, fallen on an official roadmap proposed by the United States, the European Union (EU), Russia and the United Nations, launched in 2003 with the intent of producing a sovereign Palestinian state alongside Israel by 2005.

This analysis of the Administration's efforts to produce a particular outcome begins with an exposition of Clinton's global vision. A definition of power, including its ideational attribute, is located within that context as addressing the means by which an inter-state vision might be realised. That discussion then proceeds to identify the instruments by which power may be employed by a state in the context of its diplomatic intercourse, and how the efficacy of their application might be determined. Chapter 2 analyses the United States's principal interests in the Middle East – support for Israel; access to oil at 'affordable' prices; a desire to halt the proliferation of weapons of mass destruction (WMD) that could threaten Israel's security and wider American interests; and the prosecution of counterterrorism in a region that has proven a fecund source of international terrorism. The thesis argues that linkages exist among them and that the Palestinian cause provides an anti-Israel rallying point. While a resolution of the question of Palestine would not remove all the tensions among regional states and between them and the

United States, it would defuse the most probable incendiary issue at the heart of the Arab-Israel dispute and could lead to the legitimisation of Israel as a regional player. The United States and Israel thus share a common interest in a resolution of the dispute. Chapter 3 discusses briefly why the Bush Administration decided to engage in the matter and, at greater length, how it used America's power to persuade parties with a long history of antipathy towards Israel to enter into negotiation with it in the search for a comprehensive settlement of the Arab-Israel dispute.

The application of American power, principally by the Clinton Administration, to produce a settlement of the dispute is the subject of chapters 4 to 7. Arranged in roughly sequential order, chapter 4 analyses America's attempt to influence the negotiation between Israel and the Palestinians from 1991 to 1996; chapter 5 focuses on Israel and Jordan, and the multilateral negotiations conducted within the Madrid framework; chapter 6 looks at Israel and Syria; and chapter 7 addresses the negotiations between Israel and the Palestinians from 1996 to 2001. A *post hoc* evaluation of the application of American power to attain its goal is presented in chapter 8, based on an analysis of the efficacy of the instruments of power identified in chapter 1. The Conclusion draws upon the evaluation and analyses its implications for the projection of American power in other situations. It articulates principles that might be generally applicable to a more effective projection of American power.

Chapter 1

Power and diplomacy: the United States's 'unipolar moment' and Clinton's global vision

The demise of the Soviet Union was seen by President Bush as heralding 'a new world order' in which inter-state cooperation, under United States leadership, would replace the competition and confrontation that had characterised the bipolar era. America's pre-eminence would be used to fashion a post-Cold War inter-state society in accordance with its own vision. A resolution of the Arab-Israel dispute would contribute toward the realisation of the vision by demonstrating that a 'public good' could be attained through the projection of power by means other than force. But what is power; and how may it be employed in the conduct of diplomatic relations among states to achieve an objective? This chapter will address these fundamental questions, drawing upon international relations theory. That discussion will lead to a proposition about how the efficacy of the application of power may be determined. The procedure advanced in this chapter will provide a methodology that will expose the Clinton Administration's effort to produce a negotiated settlement of the Arab-Israel dispute to proper scrutiny.

America's global vision

For almost half a century the contrasting and contradictory ideologies of the United States and the Soviet Union provided the foundation for confrontation between the two states and/or their so-called 'proxies'. Other states polarised around the two superpowers and their ideologies. This bipolar system-wide theoretical 'structure' of states¹ was fundamentally transformed by the demise of the Soviet Union, offering no alternative power pole around which opposition might coalesce. The United States found itself in a position from 1991 to exercise leadership in a unipolar world. While opposition to American leadership and policy would persist in some quarters, America is currently in a position to influence the shape of the global society of states not enjoyed since the period immediately following World War II.

¹ Waltz, K.N. (1979). *Theory of International Politics*. New York NY, Random House. Waltz argues that definitions of structure must leave aside the characteristics of units. p.79

The United States was conscious that, with the demise of bipolarity, its dominance in the international system would attract challengers.² It sought a benign environment - a 'new world order' - in which American leadership would be exercised through mutual cooperation. Bush made it clear that in advancing the notion of 'order' he was not thinking in terms of structural theory.³ He, and Clinton after him, envisioned a world order that was not dependent on an external threat or an explicit policy of balance of power.⁴ Bush anticipated American dominance that would be both legitimate and, to some extent, welcomed by the global community.⁵ American leadership in the Gulf War was an expression of collective security in accordance with the UN Charter.

The Clinton Administration's search for an appropriate global role reflected uncertainty among both Americans and foreigners as to whether unipolarity was unnatural, or unhealthy, or both. William Wohlforth contested the view that 'the distribution of power is unstable and conflict prone'⁶ under unipolarity. He argued:

Possessing an undisputed preponderance of power, the United States is freer than most states to disregard the international system and its incentives. But because the system is built around U.S. power, it creates demands for American engagement. The more efficiently Washington responds to these incentives and provides order, the more long-lived and peaceful the system.⁷

² Christopher, W. (1995). "American Leadership at Stake - 18 May 1995." *US Department of State Dispatch* Vol.6 No.21. That fear was still evident four years after the demise of the Soviet Union. Christopher testified before a Senate Foreign Relations Subcommittee that 'there is no other country with the strength or the vision to replace us. But there are plenty of forces that would like to exploit the vacuum that we would leave behind'. p.416

³ Bush, G.H.W. (1991). Remarks at Maxwell Air Force Base War College in Montgomery, Alabama, 13 April 1991. *Public Papers of the Presidents of the United States - President Bush, 1991* (hereinafter *Public Papers*). Washington DC, Office of the Federal Register. The president said: 'I am not talking here of a blueprint that will govern the conduct of nations or some supernatural structure or institution'. p.366

⁴ Ikenberry, G.J. (2002). "America's Imperial Ambition." *Foreign Affairs* Vol.81 No.5 (Sep/Oct 2002). pp.44-60

⁵ Brilmayer, L. (1994). *American Hegemony: political morality in a one-superpower world*. New Haven CT, Yale University Press.

⁶ Wohlforth, W.C. (1999). "The Stability of a Unipolar World." *International Security* Vol.24 No.1 (Summer 1999) p.7

⁷ Ibid. p.8

He is backed by Charles Krauthammer, for whom 'unipolarity, managed benignly, is far more likely to keep the peace'.⁸ For Krauthammer, the 'new unilateralism', made possible by unipolarity, argues for maintaining unipolarity and for sustaining America's unrivalled dominance.⁹

Peter Rodman is less interested in the structural dimension than in the contribution that the United States might make during the 'unipolar moment'. He described this contribution to global stability as 'one of the "public goods" we provide. It is in our own geopolitical interest, not simply a favour we do for others. Thus we must continue to provide it, even if we find some of its beneficiaries ungrateful or even annoying'.¹⁰ Joseph Nye echoed this thought: 'Our historical test will be to develop a consensus on principles and norms that will allow us to work with others to create political stability, economic growth, and democratic values'.¹¹ Rodman noted, however, that '[t]he world's concept of the requirements of international order may not coincide with Americans'; that '[c]entrifugal forces among the major powers are a source of danger for the international system'; and that 'America's ability to lead others is turning out to be more complicated than one would have expected in the "unipolar" era'.¹²

While recognising that 'at the heart of American power lies the threat or use of military force',¹³ the Clinton Administration largely eschewed the realist school. It conducted its diplomacy, as a good international citizen, in accordance with international legality, which included UN Security Council resolutions.¹⁴ Madeleine Albright, then ambassador to the UN, described America's perception of its leadership as 'assertive multilateralism'.¹⁵ Rodman commented somewhat ruefully on the apparent paradox confronting Clinton 'that resentment of the United States seems to be so high in the time of

⁸ Krauthammer, C. (2002). "The Unipolar Moment Revisited." *The National Interest* No.70 Winter 2002 p.14

⁹ Ibid. p.17

¹⁰ Rodman, P.W. (2000). *Uneasy Giant: the challenges to American predominance*. Washington DC, The Nixon Center. p.53

¹¹ Nye Jr, J.S. (2002). *The Paradox of American Power: why the world's only superpower can't go it alone*. New York NY, Oxford University Press. p.xvi

¹² Rodman. *Uneasy Giant*, p.37

¹³ Lake, A. (1994). "American Power and American Diplomacy - 21 October 1994." *US Department of State Dispatch* Vol.5 No.46 p.766

¹⁴ Krauthammer. "The Unipolar Moment Revisited", p.11

¹⁵ Ibid. p.11

an Administration so eager to be virtuous, even to the point of apologizing for much of America's postwar foreign policy'.¹⁶ What concerns the international community is that 'all major regional powers...share one item on their political agenda: how to deal with U.S. power. Until these states are capable of producing a counterpoise to the United States, the system is unipolar'.¹⁷ A common political agenda does not, however, imply universal accord on the legitimacy of the structure or the United States's singular position within it resulting from the implosion of the former Soviet Union.

At issue here is not the structural dimension, but how the Clinton Administration exercised the power of the United States during the unipolar moment. Henry Kissinger was critical of the Clinton Administration for recoiling from the concept of national interest and distrusting the use of power unless it could be presented as being in the service of some 'unselfish' cause.¹⁸ A settlement of the Arab-Israel dispute was only one of a myriad of issues confronting the Clinton Administration as it sought to realise its global vision, and its resolution could do little more than make a modest contribution toward the vision's realisation.

Clinton entered office determined to focus on the domestic economy¹⁹ and without a vision for a global order.²⁰ The vision that the Administration began articulating some eight months into his presidency had several themes. First, the United States intended 'to remain engaged and to lead'²¹ because it was compelled to do so by its 'interests and ideals'.²² Second, the United States would seek an 'enlargement' of the community of democratic nations in the world. Third, while reserving the right to act unilaterally where vital

¹⁶ Rodman. *Uneasy Giant*, p.viii

¹⁷ Wohlforth. "The Stability of a Unipolar World", p.36

¹⁸ Kissinger, H. (2001). *Does America Need a Foreign Policy?: Toward a diplomacy for the 21st century*. New York NY, Simon & Schuster. p.29

¹⁹ Albright, M.K. (2003). *Madam Secretary: a memoir*. Basingstoke UK, Macmillan. p.504

²⁰ Haass, R.N. (2001). *Assessing Bill Clinton's Legacy: how will history remember him?*.

Washington DC, The Brookings Institution, 9 January 2001.

<http://www.brook.edu/comm/transcripts/20010109a.htm> - accessed 11 August 2003; Webster, S. (1999). *President Bill Clinton's Foreign Policy: a critical assessment*, 7 May 1999. The James MacGregor Burns Academy of Leadership, College Park MD, University of Maryland. http://www.academy.umd.edu/publications/presidential_leadership/Clinton_Roundtable.htm - accessed 11 August 2003

²¹ Clinton, W.J. (1993). Remarks to the 48th Session of the United Nations General Assembly in New York City - 27 September 1993. *Public Papers - President Clinton, 1993*, p.1614

²² Lake, A. (1993). "From Containment to Enlargement - 21 September 1993." *US Department of State Dispatch* Vol.4 No.39 p.659.

interests were at stake, the United States would eschew the isolationist policies it had practised between the two World Wars and would continue to 'engage' cooperatively with the international community.

On the first of these themes - leadership - America's interests demanded that the United States maintain a robust military and diplomatic capacity to act unilaterally.²³ Anthony Lake claimed that the United States would 'not seek to expand the reach of [its] institutions by force, subversion, or repression'.²⁴ America would rely 'on diplomacy whenever possible, on force when absolutely necessary'.²⁵

The second theme was the advancement of democracy and market economics. In this, the Clinton Administration drew upon the foundations laid by President Bush. These resonated with aspirations enunciated by Woodrow Wilson several decades earlier. For Bush, the 'nation's foreign policy has always been more than simply an expression of American interests; it's an extension of American ideals'.²⁶ His secretaries of state, James Baker and later Lawrence Eagleburger, had identified the Administration's tasks in the new world order as 'winning a democratic peace',²⁷ and the need to 'strengthen the core of democracies which won the Cold War',²⁸ for fear that 'the inherent centrifugal forces of multipolarity'²⁹ would drive them apart. It would be achieved through an enlargement of the community of democratic states, especially by extending 'the core of democracies to include the former communist world, as well as other nations that have embraced our political and economic values'.³⁰ Lake took the matter further: '[t]he successor to a doctrine of containment must be a strategy of enlargement - enlargement of the world's free community of market democracies'.³¹

²³ Bennet Jr, D. (1994). "The United States and the United Nations in the Global Era - 6 January 1994." *US Department of State Dispatch* Vol.5 No.4 p.31.

²⁴ Lake (1993). "From Containment to Enlargement", p.660

²⁵ Albright, M.K. (1993). "Use of Force in a Post-Cold War World - 23 September 1993." *US Department of State Dispatch* Vol.4 No.39 p.668

²⁶ Bush, G.H.W. (1991). Remarks at the Yale University Commencement Ceremony in New Haven, Connecticut, 27 May 1991. *Public Papers - President Bush, 1991*, p.567

²⁷ Baker III, J.A. (1992). "A Summons to Leadership - 21 April 1992." *US Department of State Dispatch* (27 April 1992). p.321

²⁸ Eagleburger, L.S. (1993). "Charting the Course: US foreign policy in a time of transition - 7 January 1993." *US Department of State Dispatch* Vol.4 No.2 p.19

²⁹ Ibid. p.19

³⁰ Ibid. p.19

³¹ Lake (1993). "From Containment to Enlargement", p.659

In seeking the application of 'its domestic values to the world at large',³² the United States was seizing the unipolar moment to fashion the world after its own image. Exemplarism has long been a theme in American psychology.³³ Clinton acknowledged that there are some who claim 'that democracy is simply not applicable to many cultures',³⁴ although he clearly disagreed with that thought. He was attracted to President Franklin D. Roosevelt's view that '[t]he democratic aspiration is no mere recent phase of human history. It is human history'.³⁵ A cautionary note had, however, already been advanced by Eagleburger, who urged upon Americans the practice of 'the art of compromise and, thus, of diplomacy'.³⁶

This warning by Eagleburger, the first career diplomat to have been promoted to Secretary of State, was set aside in favour of exemplarism, a rational expression of the conviction that 'democracies do not make war with each other'. This nostrum has been put to study and found to be 'virtually a sufficient condition for nonwar'.³⁷ Conversely, the study found that at the system level, during the transitional period from autarchy to democracy, 'democratization was associated with increasing violence between states'.³⁸ Until the global structure settled on new-found democratic foundations, the envisaged new world order need not be a peaceful one.

The third theme in Clinton's vision was the need to work with the international community in securing American interests. The Administration needed to argue the case domestically against the background of a demand for a peace dividend, and a growing disenchantment with the United Nations especially in respect of its bloated bureaucracy and peacekeeping role.

³² Kegley Jr., C.W. and E.R. Wittkopf (1996). *American Foreign Policy: pattern and process*. New York NY, St Martin's Press. Citing Kissinger at p.71

³³ Coker, C. (1989). *Reflections on American Foreign Policy since 1945*. London UK, Pinter Publishers. Ch. 1.

³⁴ Clinton, W.J. (1993). Remarks to the 48th Session of the United Nations General Assembly in New York City - 27 September 1993. *Public Papers - President Clinton, 1993*, p.1614

³⁵ Ibid, cited at p.1614

³⁶ Eagleburger. "Charting the Course". He said: 'Our national virtue is that we are comfortable only with a foreign policy rooted in the values of our political tradition; our national vice is a tendency toward moralism in foreign policy and a kind of moral hubris which views the actions of others only through the prism of our own standards of conduct'. p.19

³⁷ Gleditsch, N.P. and H.Hegre (1997). "Peace and Democracy: three levels of analysis." *The Journal of Conflict Resolution* Vol.41 No.2 (April 1997). p.307

³⁸ Ibid. p.307

Warren Christopher, Clinton's first secretary of state, was at pains to point out that while the United States was prepared to act alone where its vital interests were at stake, the opportunity existed to leverage American power through alliances and institutions. This offered the prospect of achieving 'better results at lower cost in human life and national treasure'.³⁹ For Clinton's Administration, the debate between proponents of unilateral and multilateral action assumed a false choice: '[m]ultilaterism is a means, not an end'.⁴⁰ 'Multilateral steps complement bilateral and unilateral efforts: they do not substitute for them'.⁴¹

It is not easy to position a settlement of the Arab-Israel dispute with any precision within Clinton's global vision. He inherited the Middle East peace process from his predecessor. While domestic issues were 'the overwhelming focus',⁴² of Clinton's first presidential campaign, he has acknowledged that 'global interdependence was erasing the divide between foreign and domestic policy' and that on succeeding to the presidency he discovered that the supposed 'new world order' 'was rife with chaos and big, unresolved questions'.⁴³ He instanced the future of post-Soviet Union Europe and the Balkans as commanding immediate attention. A Middle East settlement was not listed among the array of inherited 'unresolved questions'.

Although a resolution of the Arab-Israel dispute was not initially a critical issue for Clinton or his Administration, it was to grow into a major preoccupation over the president's two terms in office. Israel's deportation of Hamas activists to southern Lebanon in December 1992, and Lebanon's refusal to absorb them, created a crisis that the incoming Administration could not avoid. The initial disposition of the new secretary of state was to pursue an Arab-Israel peace only if openings were to occur: 'he was not going to be active in trying to create openings'.⁴⁴ However, Christopher's early visit to the Middle East occasioned by the deportations convinced him that the

³⁹ Christopher, W. (1995). "Principles and Opportunities for American Foreign Policy - 20 January 1995." *US Department of State Dispatch* Vol.6 No.4 p.42

⁴⁰ Ibid. p.42

⁴¹ Albright, M.K. (1995). "The United States and the United Nations: confrontation or consensus? - 20 January 1995." *US Department of State Dispatch* Vol.6 No.6 p.80

⁴² Clinton, W.J. (2004). *My Life*. London UK, Hutchinson. p.502

⁴³ Ibid. p.502

⁴⁴ Ross, D.B. (2004). *The Missing Peace: the inside story of the fight for Middle East peace*. New York NY, Farrar, Straus and Giroux. p.98

constellation of factors then in existence presented an exceptional opportunity to promote peace. Without losing sight of other matters to which it accorded higher importance, the Administration decided to become engaged in the matter. Clinton was to become seized of the possibilities offered by the conclusion of a Declaration of Principles between Israel and the Palestinians. Thereafter, his Administration pursued a resolution of the dispute with conviction, despite attempts by some actors to frustrate accommodations among the parties principal that in turn provoked harmful retaliation. Keeping the negotiation alive in the hope of achieving a Middle East settlement became an imperative for the Administration: 'if the process lapsed, the potential for violence and terror would increase dramatically; absent diplomacy, the extremists, especially in the Arab world, would emphasise that armed struggle was the only answer'.⁴⁵ Clinton invested personally in assuring that the process did not founder. By the end of his presidency, he had become intimately involved in the negotiation between the Israelis and Palestinians and submitted his own views on a framework within which a peace solution might be found.

Clinton's growing preoccupation over the course of his presidency with a possible Middle East settlement was reflected in the identification of foreign priorities for his second term. An issue that was not mentioned among the tasks he needed to address when taking office in 1993, ranked high in his post-1996 agenda. It was pursued seemingly without material cost to his objectives and policies in other areas, domestic and international. His autobiography focuses heavily on domestic issues and the attention that he devoted to them. In relation to international questions, and despite his involvement at various times in matters of detail in the negotiations with Syria and the Palestinians, he accepted the need to delegate in order to accommodate other calls on his time. Famously, he left Camp David during the course of the critical Israel-Palestinian negotiation in July 2000 to attend a meeting of the Group of 7 in Okinawa.

That a resolution of the Arab-Israel dispute became a major objective of the Clinton Administration is clear, reflecting the president's growing

⁴⁵ Ibid. p.78

obsession with the subject. What is less clear is the weighting that should be given to it in relation to other international issues that commanded the attention of the United States. Judged solely in terms of time and effort, it must be accorded a position of considerable significance. The next chapter will address why a resolution of the dispute should have become an objective of the Bush Administration, to be shared later by that of his successor. The following chapters will examine in greater detail how the two Administrations exercised the power of the United States to effect a settlement.

Conceptually, the ideal of a negotiated and comprehensive settlement concluded with American leadership, were it to be achieved, would be a powerful demonstration of the ability of American hegemony to produce a 'public good', and would provide a tremendous boost to the United States's image. As Robert Jervis has observed, images are important in foreign policy and success can bring rewards 'by influencing the psychological environments and policies of other decision-makers'.⁴⁶ Though an American Administration might wish single-handedly to manage a resolution of the dispute, the circle of affected states ranged beyond Israel and its immediate neighbours and the US would have to engage cooperatively with members of the international community. It is less certain that the Administration could have believed that a settlement would lead to an enlargement of the community of democratic nations, especially in the Middle East. Whatever outcome might be achieved, it was unlikely to spark a 'democratic enlargement' within the region. Clinton had advocated democratisation as an issue during his 1992 electoral campaign, but had no grand design for its advancement.⁴⁷ Like Presidents Kennedy, Reagan and Bush, he practised what Tony Smith has called 'selective liberal democratic internationalism': an expansion of democracy abroad was held to be in the United States's security interest, but America's power to promote such reforms was too limited to be used imprudently.⁴⁸

The difficulty of implementing a selective policy is that leaders must know when and how to act aggressively to promote democracy abroad and when prudentially to remain silent. They must reconcile the

⁴⁶ Jervis, R. (1970). *The Logic of Images in International Relations*. Princeton NJ, Princeton University Press. p.8

⁴⁷ Smith, T. (1994). *America's Mission: the United States and the worldwide struggle for democracy in the twentieth century*. Princeton NJ, Princeton University Press. p.325

⁴⁸ Ibid. p.322

contradiction that while American security is served by a successful liberal agenda, there are definite limits to the American ability to foster developments such as democracy abroad.⁴⁹

Having established the setting within which a resolution of the Arab-Israel dispute was sought, consideration is now given to the means by which it might be achieved. The vehicle is the employment of the United States's power. Power is the means by which an actor influences others in order to secure an objective. It may be projected through political, economic or cultural means, and through ideas. It may, of course, be projected by force. The use of force was inconsistent with the objective of a negotiated settlement, but other means exist for the projection of power to achieve a desired outcome. There is a range of instruments at the disposal of a state that may be employed in the exercise of its power. How a state manages its interaction with other states is the matter of diplomacy. The following two sections discuss first the concept of power, and then how power may be applied by a state in the context of its diplomatic relations.

Power

In his analysis of power, Peter Morriss proposes that power is a capacity, at the disposition of the holder, for producing an event.⁵⁰ As a dispositional concept, power is neither a thing (a resource or vehicle) nor an event (an exercise of power).⁵¹ Dougherty and Pfaltzgraff take the definition further. They argue that power cannot be reduced to capabilities (resources) because it consists of psychological factors as well as situational ones.⁵² It is, as Hans Morgenthau put it, about 'man's control over the minds and actions of other men'.⁵³ Arnold Wolfers shares the perception of power having a psychological dimension: it is 'the ability to move others or to get them to do

⁴⁹ Ibid. p.326

⁵⁰ Morriss, P. (1987). *Power: a philosophical analysis*. Manchester UK, Manchester University Press. p.22

⁵¹ Ibid. p.19

⁵² Dougherty, J.E. and R.L. Pfaltzgraff Jr (1990). *Contending Theories of International Relations: a comprehensive survey*. New York NY, Harper Collins Publishers. p.126

⁵³ Morgenthau, H.J. (1978 (5th edit., rev.)). *Politics Among Nations: the struggle for power and peace*. New York NY, Alfred A. Knopf. p.30

what one wants them to do and not to do what one does not want them to do'.⁵⁴

Dougherty and Pfaltzgraff conclude that

[t]he ability to exert influence over another...without the actual expenditure of capabilities, represents the most effective employment of power. In such a conception, it is not the use of power, as in a military campaign, that is important but rather the political shadow alleged to be cast by its perceived possession. Thus, power becomes the 'cutting edge' of diplomacy.⁵⁵

As a dispositional property, power may be projected by the holder through material means (primarily military or economic), or through ideas, or some combination of the two. Its attributes may be existential or ideational.⁵⁶ It may be applied directly in order to effect a desired outcome, or it may influence the attainment of an objective. The concepts of power and influence are frequently conflated, with both described as 'affecting' outcomes. American officials customarily talk of exercising influence or influencing outcomes in international affairs, perhaps sensitive about transgressing upon the sovereignty of independent states.

While the capacity to produce an event may inhere in both power and influence, the two concepts are distinct and it is necessary to distinguish between them. Wolfers views 'the first to mean the ability to move others by the threat or infliction of deprivations, the latter to mean the ability to do so through promises or grants of benefits'.⁵⁷ Awareness of the attitudes of a dominant power and a unilateral disposition by a 'lesser' state not to challenge them is an insidious form of influence exerted without recourse to promises or grants. It will be argued later in this chapter that 'promises or grants of benefits' are resources that may be employed for coercive purposes in order to produce a particular outcome, and thus agents for the projection of power rather than influence. Such usage is consistent with Klaus Knorr's preference to use the term 'power' only in relation to its coercive capability.⁵⁸

⁵⁴ Wolfers, A. (1962). *Discord and Collaboration: essays on international politics*. Baltimore MD, The Johns Hopkins Press. p.103

⁵⁵ Dougherty and Pfaltzgraff. *Contending Theories*, p.87

⁵⁶ Baker III, J.A. (1995). *The Politics of Diplomacy: revolution, war and peace 1989-1992*. New York NY, G.P. Putnam's Sons. The former Secretary of State said that power may take many forms: 'economic and military might, group expectations and pressure, and most lastingly, through ideas'. p.xv

⁵⁷ Wolfers. *Discord and Collaboration*, p.103

⁵⁸ Knorr, K. (1975). *The Power of Nations: the political economy of international relations*. New York NY, Basic Books, Inc. p.4

'Influence' is defined by Morriss 'as *affecting* (in a certain way), whilst 'power' is usually defined as the ability to *effect*'.⁵⁹ He instances the fact that the work of an artist or philosopher can influence or affect the attitudes of others long after the creator's death, demonstrates that influence is not an exercise of power. But his interpretation of influence dismisses the pervasive affect of widely held attitudes, generated by normative expectations deriving from association within certain societies or regimes, or the demonstration effect of the achievements of others. Either of these forces could be current and direct contemporary behaviour in certain directions. As power and influence can proceed in tandem, it may not always be possible to identify precisely the catalytic cause that produced a certain outcome.

The ability of a state to produce a desired outcome may be a function of its statecraft (which will be discussed below), influence, or both. The effect of influence on the formulation of state perceptions is most evident in relation to structured spheres. They bear some similarity to James Rosenau's regimes⁶⁰ in that they engender expectations of normative behaviour among the regime's subscribers. A dominant state may be able to influence the shape or direction of a regime, but its control may not be absolute and some expression of divergent opinion among the membership may be tolerated. The membership's propensity to keep disagreements 'within the family', and mutual acquiescence in the patterns of control exercised by the influencing power, contribute to international order⁶¹ and the attainment of the dominant power's objectives.

The relationship of a lesser state to a dominant power need not be structured, and may be motivated by 'prudential' perceptions.⁶² These may include a concern or fear about a dominant power's reaction to certain behaviour, even though no overt threat had been made by it; or voluntary

⁵⁹ Morriss. *Power*, p.30.

⁶⁰ Rosenau, J.N. (1990). *Turbulence in World Politics: a theory of change and continuity*. Princeton NJ, Princeton University Press. Rosenau has written about institutional mechanisms - often called 'regimes' - that embrace actors in both the state- and multi-centric worlds...which, in subtle ways, may be reducing the force of self-interest and enlarging the degree to which worldwide interdependence is founded on common values. pp.421-2

⁶¹ Keal, P. (1983). *Unspoken Rules and Superpower Dominance*. Basingstoke UK, The Macmillan Press Ltd. pp.200, 204

⁶² Ibid. p.8

submission to the dominant power in the expectation of some gain, perhaps related to physical or economic preferment or security.

An unstructured projection of influence is inherent in Nye's concept of 'soft power'. 'Soft power' has an ability to entice and attract, or to set the political agenda in a way that shapes the preferences of others.⁶³ It is ideational in form, and its characteristic is essentially influential. It involves 'getting others to want what you want...It co-opts people rather than coerces them'.⁶⁴ The reason 'soft power' may be attractive to others is that it is underpinned by the holder's attributes, which may be material, intellectual or cultural. Power and 'soft power' may coexist as properties of the one holder: a trenchant critic of United States policies may nevertheless wish to live or study there.⁶⁵ The line between influencing an 'other' in a way conducive to achieving a desired outcome, and effecting that outcome may be a fine one in some circumstances. The latter suggests both determination and currency, whereas the former is insidious and less insistent.

Power is a relational concept, involving consideration of its domain (which 'others' can be targeted) and scope (which actions are likely to contribute to producing the desired outcome).⁶⁶ It may be expressed in explicit terms of scope and domain, or of capabilities (thus shifting the analytical focus from 'actual causes to potential causes').⁶⁷ The ability to effect outcomes may rest on various bases, differing not only from culture to culture, but also within a culture from one power structure to another,⁶⁸ any of which could serve to produce an outcome.

⁶³ Nye (2002). *The Paradox of American Power*, p.9; Nye Jr, J.S. (2003). "The velvet hegemon." *Foreign Policy* Iss.136 May/June 2003 pp.74-5

⁶⁴ Nye (2002). *The Paradox of American Power*, p.9. This is his description of one of the fundamental bases of 'soft power'.

⁶⁵ Friedman, T.L. (2003). "Passions and Interests." *The New York Times on the Web*, 2 October 2003.

⁶⁶ Baldwin, D.A. (1993). Neoliberalism, Neorealism and World Politics. *Neorealism and Neoliberalism: the contemporary debate*. D.A. Baldwin. New York NY, Columbia University Press. p.16

⁶⁷ Ibid. p.16

⁶⁸ Lasswell, H.D. and A. Kaplan (1950). *Power and Society: a framework for political inquiry*. New Haven CO, Yale University Press. p.85, Table 2 p.87; Baldwin, D.A. (1985). *Economic Statecraft*. Princeton NJ, Princeton University Press. pp.135-6

The relational character of power is among a number of characteristics identified by David Baldwin.⁶⁹ Others are that power may rest on various bases, and no one form of power is basic to all the others; power is multidimensional, varying in degree with respect to several dimensions, including scope, weight, domain, and cost; and power is not necessarily a zero-sum game. It is quite possible for two actors to increase their power over one another with respect to similar or different aspects of behaviour simultaneously.

While there are many situations in which military force is more important than other power resources, Baldwin favours examining the bases of power in the context of particular cases. Power analysis always requires consideration of counterfactual conditions. If power relations involve getting 'others' to do something they would not otherwise do, the question of what would otherwise have been done cannot be ignored.

There is general acknowledgement that 'power is a means'.⁷⁰ Within its relational context power is, therefore, essentially instrumental.⁷¹ The efficacy of power is sometimes expressed in direct - causal - terms. Baldwin has written that the common conception of power in social science 'treats power relations as a type of causal relationship in which the power-wielder affects the behaviour, attitudes, beliefs, or propensity to act of another actor'.⁷² Such a simple cause/effect dichotomy suggests that the target state acts in accordance with the wishes of the wielder of power because it bears the burden of 'cost'. Kenneth Waltz has rejected so bald an assumption in favour of one implying some measure of 'cost sharing': 'an agent is powerful to the extent that he affects others more than they affect him'.⁷³ He has also warned that the

⁶⁹ Baldwin (1985). *Economic Statecraft*, pp.20-2; Baldwin (1993). *Neoliberalism, Neorealism and World Politics*, p.16

⁷⁰ Waltz (1979). *Theory of International Politics*, p.192

⁷¹ Kissinger, H. (1979). *The White House Years*. London UK, Weidenfeld and Nicolson. He has observed that 'a calculus of power...is only the beginning of policy; it cannot be its sole purpose'. p.130

⁷² Baldwin (1993). *Neoliberalism, Neorealism and World Politics*, p.16

⁷³ Waltz (1979). *Theory of International Politics*, p.192

outcome of the use of power is necessarily uncertain and that 'powerful agents fail to impress their wills on others in just the way they intend to'.⁷⁴

The place of power in international relations is the subject of theoretical discourse. 'Realists' such as Morgenthau⁷⁵ argue that the state is not enjoined to observe a common morality because no such universal order exists. The task of statesmanship is to protect the insular political order from the anarchic seas which surround it through the use of national power.⁷⁶ Conversely, 'Rationalists' like Hedley Bull argue that an international society does exist.⁷⁷ Bull postulates that if states form an international society, it is because they recognise certain common interests and cooperate in their achievement.⁷⁸ For the Rationalists, '[p]reservation of the bases of international society becomes itself a principal task of statesmanship, and customary behaviour allows for the development of sufficient trust for genuinely cooperative approaches to emerge'.⁷⁹ A further liberal argument ('Revolutionism' in Martin Wight's terminology) is founded on the belief in a world community that goes beyond the society of states and whose fundamental constituents are human beings rather than the 'contracted' states through which they have contingently given political expression to their interests. 'In the centrality which it commits to the moral freedom and autonomy of the individual, it is ultimately corrosive of inter-state society and envisages its final supercession'.⁸⁰ This cosmopolitan strain commands an active global constituency among non-governmental organisations, whose ability to set and pursue an independent international agenda is being accommodated by states through some power-sharing arrangement. States have not conceded ground, partially harnessing community concern about the global environment and human rights, *inter alia*, to the inter-state society through agreements subscribed by them.

⁷⁴ Ibid. p.192; Rosenau, J.N. (1968). "Comparative Foreign Policy: Fad, Fantasy, or Field?" *International Studies Quarterly* Vol.12 No.3. Rosenau asserts: 'Foreign policy undertakings do have unintended consequences for social, economic, and political life...' p.315

⁷⁵ Morgenthau. *Politics Among Nations*, pp.3-15

⁷⁶ Clark, I. (1996). *Traditions of Thought and Classical Theories of International Relations. Classical Theories of International Relations*. I. Clark and I.B. Neumann. New York NY, St. Martin's Press, Inc. pp.1-19

⁷⁷ Ibid. p.5

⁷⁸ Bull, H. (1977). *The Anarchical Society: a study of order in world politics*. Basingstoke UK, Macmillan. p.13

⁷⁹ Clark. *Traditions of Thought*, p.5

⁸⁰ Ibid. p.6

E. H. Carr recognised the interdependence of utopian idealism and realism,⁸¹ and foreshadowed a possible blending of realism and idealism in a state's conduct of its international relations. He attributed the latter to a common feeling among states about what is just and reasonable, but the embryonic character of international society was 'the real obstacle in the way of an international procedure of peaceful change'.⁸² At the time of his writing, the elimination of the element of power in the process of peaceful change seemed utopian, and states had little option but to conform to the prevailing condition that 'the party which is able to bring most power to bear normally emerges successful from operations of peaceful change'.⁸³ Nearly fifty years later Clinton's principal foreign policy advisers, both of whom entered public service from academia, were affirming the mix of realism and liberalism in his Administration's approach.⁸⁴

Application of power

Power is a relative property, not an absolute one. A state's potential authority may be inferred from its relative military and/or economic capacity, but its power is only realised through its employment. Power is, therefore, an attribute to be utilised in the pursuit of an objective, rather than an end in itself. The instrumental application of state power is pursued through statecraft in the expectation of producing some end, goal, objective or aim,⁸⁵ bearing in mind the state's range of commitments. States are conscious of their interdependent commitments: the credibility of a state's commitment in one area often cannot be eroded without affecting the credibility of its commitments in other areas.⁸⁶

⁸¹ Carr, E.H. (1948). *The Twenty Years' Crisis 1919-1939: an introduction to the study of international relations*. London UK, Macmillan & Co. Ltd. p.13

⁸² Ibid. He wrote that 'if an orderly procedure of peaceful change is ever to be established in international relations, some way must be found of basing its operation not on power alone, but on that uneasy compromise between power and morality which is the foundation of all political life'. p.220

⁸³ Ibid. p.222

⁸⁴ Lake, A. (1994). "The Need for Engagement - 30 November 1994." *US Department of State Dispatch* Vol.5 No.49. He said that '[t]he realists have it right that power matters...[b]ut Wilson had it right that principles matter - that power unhinged from principle will [be] rudderless...' p.805; Albright (2003). *Madam Secretary*. In her autobiography Albright expresses the hope 'never again to hear foreign policy described as a debate between Wilsonian idealists and geopolitical realists. In our era, no President or Secretary of State could manage events without combining the two'. p.505

⁸⁵ Baldwin (1985). *Economic Statecraft*, p.16

⁸⁶ Ibid. pp.106, 109

There may be occasions, however, when a state will seek to pursue its objective through expressive behaviour, such as righteous indignation, rather than instrumental behaviour. Expressive behaviour may help image creation, a field in which the 'manipulation of symbols...is unmatched in any other political situation'.⁸⁷ Ephemeral qualities such as good will, prestige, and saving face are aspects of a state's image that can contribute to its pursuit of other goals. Promoting an image abroad is, however, a mixed motive game in which failure in one dimension may be offset by success in another. Instrumental and expressive behaviour are not mutually exclusive: a state may employ expressive behaviour for instrumental purposes.

Whichever form of behaviour a state employs in pursuit of its objective, the objective may be treated either as a goal in its own right, or an intermediate goal instrumental in the attainment of its ultimate objective. It has been suggested that 'very few foreign policy goals are final...most goals are intermediate'.⁸⁸ Sometimes a state may find it useful to identify its objective with precision; at other times to express it more broadly. In pursuit of its objective, a state may need to co-opt the assistance of other states, in which case it may judge that prospective partners would be more amenable to supporting a broadly-framed objective than in furtherance of a narrowly-defined goal patently designed to serve the interest of the power-wielding state.

To summarise: power is a relative concept. It can only be used in relation to an 'other'; and is employed by a state in order to attain an objective. Its application may be physical, but power is more commonly exercised through its psychological dimension with the intent of encouraging or influencing the target state to produce an outcome desired by the power-wielding state. How this may be exercised in the context of a state's diplomatic relations is the subject of the following section.

Diplomacy

Diplomacy is the process of dialogue between states. The word 'diplomacy' is frequently and incorrectly used as a synonym for the foreign policy of a state. Adam Watson draws a distinction between 'foreign policy'

⁸⁷ Rosenau (1968). "Comparative Foreign Policy", p.328

⁸⁸ Baldwin (1985). *Economic Statecraft*, pp.62-3

as the substance of a state's relations with other powers and agencies and the purposes it hopes to achieve by these relations, and 'diplomacy' as the process of dialogue and negotiation by which states in a system conduct their relations and pursue their purposes by means short of war.⁸⁹ In the terms of his definition, foreign policy embraces the identification of objectives, while diplomacy addresses the strategies pursued for their attainment. How a state employs the instruments at its disposal, is the matter of statecraft. Craig and George have pointed out that the conventional wisdom of statecraft incorporates force and threat of force as 'a necessary instrument of diplomacy'.⁹⁰ While force was never threatened or employed in the search for a settlement of the Arab-Israel dispute, Arab states were aware of America's ability to project military power into the Middle East and it remained a background condition of the negotiation.

The diplomatic options available to the state may be either 'active' or 'passive' depending upon the goal to be pursued. Both derive from decisions by the state. The 'active' aspect - a decision to do something - is generally self-evident, while the 'passive' derives from decisions *not* to become actively engaged. A passive position may enable a state to enjoy the product of the work of those who have pursued an outcome - that is, free access to a 'public good' acquired through the effort of others. Few dichotomies are absolute: an intermediate stage between 'active' and 'passive' is conceivable. The United States has not intervened directly in support of Israel's security other than when Israel has been under military attack. American assistance has ensured that for the most part Israel has been able to assure its own security. American Administrations hoped that an indirect contribution would enable them to put some distance between United States concern for Israel's security and its other Middle Eastern interests - 'active' assistance permitting the adoption of a seemingly 'passive' stance.

The 'active' instruments of diplomacy are those that may be employed by a state in the exercise of its power. They are persuasion, financial inducements, sanctions and coercion. Sanctions may be either 'positive' or

⁸⁹ Watson, A. (1982). *Diplomacy: the dialogue between states*. London UK, Eyre Methuen Ltd. p.11

⁹⁰ Craig, G.A. and A.L. George (1995 (3rd edit.)). *Force and Statecraft: diplomatic problems of our time*. New York NY, Oxford University Press, Inc. p.258

'negative'. 'Positive' sanctions offer actual or promised rewards, while 'negative' sanctions employ actual or threatened punishments⁹¹ and are usually applied with coercive intent. The instruments of diplomacy are discussed below. Each of these measures may be employed discretely or in concert. Whichever instrument or combination of tools is used, the aim is to achieve acceptance of, or support for, a particular objective of the wielding state.

Persuasion

The purpose of persuasion is to appeal to the target state's understanding of its national interest, if necessary by encouraging it to change its perception of its national interest. The state seeking to engineer a decision in its own interest will suggest that the target state shares with it a common or mutual national interest: there could be advantage to both in concurring in a certain matter. It does not follow that the target state will share that perception. It may have other interests to which it attaches greater importance that were not (or could not be) taken into account by the power-wielder.

As a negotiation technique, 'persuasion' may be distinguished from 'bargaining'. The former involves efforts to get the target state to understand why the power-wielder's demands are so important to it. 'Bargaining' is characterised by concessions, conditional offers, threats, and inducements. It may be that one party does not ask more of the other than it thinks reasonable and likely to be acceptable (which Craig and George characterise as 'accommodating'); or that the party or parties pursue maximum gains (which they describe as an 'optimising' technique).⁹²

There are many channels of persuasion. The traditional and most direct method between states is through diplomatic contact whether at head of government level or through accredited agents. Such contact may be personal or through correspondence; and includes debate within international forums. What was once the confidential preserve of exchanges between individual agents is now frequently the subject of open debate, including in the media and academia. In an age of virtually instantaneous communication use is often made of communications technology to broadcast an immediate response to

⁹¹ Baldwin (1985). *Economic Statecraft*, p.20

⁹² Craig and George. *Force and Statecraft*, pp.169-70

some development. Television offers a means by which statesmen or their spokespersons may seek to reach the leaders of a target state, and public opinion within it, in the hope of effecting some change of policy. Press briefings by White House, US State Department and Pentagon spokespersons are not only an important source of information about American attitudes, they can be the means by which American Administrations advocate desired objectives and seek to build domestic and/or foreign constituencies for them.

Formal communication between states may be supplemented through public information programmes and public diplomacy. Both tools are designed to impress views on target states. Their efficacy can be limited by political and/or social conditions within the target state: not every audience is disposed to be receptive to the wielder's efforts. An official American description of public information is 'the provision of information to the public, press and other institutions concerning the goal, policies and activities of the U.S. Government'.⁹³ The emphasis is on *informing* others in the expectation that a well-informed public in a target state will understand the goals of the projecting state and seek some accommodation with them. It is an appeal to logic. The information projected may not, however, be comprehensive. Where selective material is projected with intent to mislead, it is called disinformation. Propaganda is a 'darker' version due to the deliberate manipulation of the projected material to present biased or misleading information in order to promote a political cause.

Although scepticism may be entertained about the United States's use of public information programmes, the intent is generally unobjectionable unless it involves an attempt to transgress the sovereignty of the target state. It is doubtful, however, whether America's official explanation of its methodology – 'To be persuasive we must be believable; to be believable we must be credible; to be credible we must be truthful. It is as simple as that'⁹⁴ – can be taken wholly at face value.

⁹³ US Information Agency (2002). *What is Public Diplomacy?* Washington DC, US Information Agency. p.1 <http://www.publicdiplomacy.org/1.htm> - accessed 30 August 2002

⁹⁴ Ibid. p.3, citing testimony before a congressional committee by a former Director of the United States Information Agency.

Public diplomacy introduces a more evident intent to *influence* others.⁹⁵ It deals primarily with non-governmental individuals and organisations, but does not exclude dealings with governments. The differing views of individuals, organisations and governments may be projected by these means. It is an avenue for the projection of so-called 'soft power' in that it seeks 'to entice and attract. And attraction often leads to acquiescence or imitation'.⁹⁶

Positive sanctions

Positive sanctions may be offered either as an inducement to secure an objective or as a reward for a service rendered. In their financial form, they may be made in grant or loan form for security, economic, developmental or educational and cultural purposes. And they may be made either on a state-to-state basis, or by international organisations drawing upon resources allocated for such purposes principally from the contributions of member states. Both bilateral and multilateral aid may take the form of finance or credits, or technical assistance, or be in kind. It is within America's capacity to make such allocations from within its own resources, and for an American Administration to exert influence within the boards of American corporations and international organisations to encourage them to make appropriate disbursements. For having concluded a peace treaty with Israel in 1979, Egypt receives an annual allocation of American aid worth about \$2 billion.⁹⁷ No such inducement was discussed with Jordan before it concluded its peace treaty with Israel in 1994, but Jordanians were well aware of the precedent.⁹⁸

How financial inducements may be broken down into grants or loans or assistance for various purposes offers scope for the application of power over

⁹⁵ Ibid. A Library of Congress study of US international and cultural programs and activities, prepared for the Committee on Foreign Relations of the US Senate, states that the term 'public diplomacy' was first used in 1965 by the Fletcher School of Law and Diplomacy at Tufts University in connection with the establishment at Fletcher of the Edward. R. Murrow Center for Public Diplomacy; Djerejian, E.P. (2003). *Changing Minds Winning Peace: a new strategic direction for U.S. public diplomacy in the Arab & Muslim world*. Presented at: House Committee on Appropriations, Washington DC. The submission defines public diplomacy as 'the promotion of the national interest by informing, engaging, and influencing people around the world'. p.13

⁹⁶ Nye (2002). *The Paradox of American Power*, p.9

⁹⁷ Mark, C.R. (2002). *Egypt-United States Relations*. Washington DC, Congressional Research Service, The Library of Congress. Tables 1 and 2.

⁹⁸ Interview with Mr Marwan Kassim, former adviser to King Hussein of Jordan and former foreign minister of Jordan, at Amman on 8 May 2002.

the target state. Constitutionally, legislators in democracies need to be satisfied that allocations of taxpayers' funds are for justifiable purposes, and a state hoping to attract aid must demonstrate that it is prepared to meet their expectations. In practise few such analyses are attempted, but the threat of 'exposure' remains.

Disbursements to member states from the pooled contributions of members are made by some international organisations. The United States is the major state contributor to the International Monetary Fund (IMF) and the World Bank. Its holding of 25 percent of the votes on their governing bodies outweighs the voting power of other individual state contributors and places the United States in an exceptional position to guide the governors' decisions in favour of its preferred outcomes. Its dominance is not absolute: significant donor states from Western Europe and Japan may challenge American intentions.⁹⁹ American influence within those institutions extends beneath the boardrooms. Many of the economists and other officials working for the international financial institutions share an economic philosophy in common with that of an American Administration and their advice to the governing bodies reflects this.¹⁰⁰ The combination of these 'American' influences has resulted in some recipients of IMF assistance being required to move toward American principles of economic management and market economics as a condition of IMF assistance.

A financial inducement to a recalcitrant or wavering state to accord with a state's objectives may need to be matched by a reward to a well-disposed one for its continuing friendship or support. The converse is also true. The United States decided that it could not afford to continue to sustain Israel's qualitative military edge in 1990 without also providing some military

⁹⁹ Gilpin, R. (2001). *Global Political Economy: understanding the international economic order*. Princeton NJ, Princeton University Press. By custom, selection of the directorship of the World Bank has been the prerogative of the United States, while that of the IMF has been the prerogative of Western Europe. Japan, as the second-largest donor to the IMF, is unhappy about its subordinate role in that institution. It and other East Asians believe that the IMF is too much under American influence. pp.384-6

¹⁰⁰ Stevens, P. (1998). Introduction. *Strategic Positioning in the Oil Industry: trends and options*. P. Stevens. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. pp.13-4

assistance to Saudi Arabia.¹⁰¹ Failure to do so in either case could impair what was regarded as a beneficial relationship.

Negative sanctions

Diplomatic practice offers scope for the employment of a number of negative sanctions. A particular type of negative sanction is economic sanctions. The range of negative sanctions considered here includes denial, coercive measures and the threat of force. They are designed to increase the 'costs' to a target state of continuation of certain policies and, in so doing, to effect a change in its policies.¹⁰² Negative sanctions have the effect of increasing tension between the two parties, as opposed to tension reduction processes through conciliation or positive sanctions.¹⁰³ They may increase the risk of war, which is itself a kind of cost. Like other costs, they may be used to add credibility to a signal.¹⁰⁴

Negative sanctions may address symbols important to the target state, their impact being dependent upon the significance attached to its image by the target state. Examples could be the denial of a vote for election to the governing body of an international institution, the recall of an ambassador for 'consultations', or the boycott of a national sporting team. Options that would cut to the quick of the relationship between the two parties would be a decision to downgrade or sever diplomatic relations, or to suspend a state's participation in some international body. Yet such a trenchant expression of disapproval – backed as it is in the case of Iran by domestic American legislation proscribing commercial contact – has not halted non-governmental contact between citizens of both countries under 'second track' diplomacy, a process that facilitates a high-level exploration of views and options without committing the governments concerned.

Where a state judges the policies of another to be inimical to its interests, it may conclude that its interest would be served by supporting citizens of the target state known to be antipathetic to their government. It may

¹⁰¹ Bartholomew, R. (1990). "Defense Equipment for Saudi Arabia - 4 October 1990." *US Department of State Dispatch* (8 October 1990). Testimony before the Senate Foreign Relations Committee. p.169

¹⁰² 'Cost' is used in the sense of value foregone as a result of a decision.

¹⁰³ Baldwin (1985). *Economic Statecraft*, pp.111-2

¹⁰⁴ *Ibid.* p.112

offer assistance to persons or groups in exile, or to forces operating within the target country, with the purpose of helping them to effect a regime change.¹⁰⁵ Such assistance by the state wielding power may encourage the resort to arms, or to civil protest.

It is often claimed that 'sanctions don't work'. One of the most prescriptive sets of sanctions ever to have been applied to a country is that imposed upon Iraq in 1991 at the conclusion of the Gulf War under UN Security Council Resolution 687.¹⁰⁶ The resolution called for the dismantling of Iraq's WMD and long-range missiles and the means to produce them, and it established machinery to effect and verify this; and restricted the volume of oil permitted to be exported to that necessary to cover the cost of Iraq's food import needs. The outcome was mixed, not least because the United States kept moving the goal posts in pursuit of securing a change of regime in Iraq. Iraq responded to the UN prescriptions, waging what Anthony Cordesman has called a 'war of sanctions', through which it frustrated the efforts of UN inspection bodies to carry out their mandate; provoked a division among the five permanent members of the Security Council; exploited the sympathy of the Arab world; and used its oil wealth (some of which was generated through 'sanctions busting' means such as smuggling) to win foreign support.¹⁰⁷ The food-for-oil arrangement could not guarantee that food reached Iraq's most needy because its distribution remained largely in the hands of the Iraqi regime. An extensive survey of Iraq after the America-led intervention of 2003 suggested that, while UN inspections had inhibited the development of WMD, Iraq retained a capability to develop missiles with a range of up to 1000 kms, was attempting to obtain ballistic missile technology from North

¹⁰⁵ Tutwiler, M. (1992). "Secretary's Meeting with Iraqi Opposition - 29 July 1992." *US Department of State Dispatch* Vol.3 No.31. After the 1991 Gulf War, the United States encouraged the Iraqi National Congress 'to continue its efforts to increase the unity among opposition groups' in favour of 'a democratic, pluralistic government in Iraq'. p.611; Verstandig, T.G. (1994). "Principal Elements of U.S. Policy in the Persian Gulf - 22 March 1994." *US Department of State Dispatch* Vol.5 No.14 p.199

¹⁰⁶ Adopted on 3 April 1991

¹⁰⁷ Cordesman, A.H. (1999). *Iraq and the War of Sanctions: conventional threats and weapons of mass destruction*. Westport CT, Praeger Publishers. p.1

Korea,¹⁰⁸ and retained a capacity to make the liquid fuel to power the SCUD missiles banned under the Security Council resolution.¹⁰⁹

Economic sanctions

The most common form of negative sanctions is that labelled 'economic'. Some economic sanctions are a denial, or reduction, in bilateral aid; denial of access to capital markets; a freezing of the bank accounts of institutions and citizens of the target country; trade boycotts, including denial of or tariffs on the entry of goods from the target country, restrictions on exports and technology (usually of sophisticated items), and a refusal to supply military materiel to the target country; a proscription on investment in the target country; and a refusal to entertain the conclusion of a free trade agreement with the target country. Production or export subsidies to producers of goods in competition with producers in the target state are other forms of economic sanctions. Many of these tools may involve costs to the state wielding power and will involve implicit, if not explicit, cost/benefit judgements by it before their application.

Coercion

Where force is threatened, it must be credible, foreshadowing greater diversion of resources by, and destruction to, the target state than to the threatening state. Coercion may be applied multilaterally under UN collective security provisions, or unilaterally. Multilaterally, the United States took a leading position within the UN Security Council in the drafting of sanctions against Libya for the bombing of flight PA103 over Scotland; against Iraq, demanding its withdrawal from Kuwait; and, after the Gulf War, enforcing the dismantling of Iraq's WMD capability. The United States has imposed sanctions unilaterally on Libya and Iran through domestic legislation for their support of terrorism. By executive decision it has proscribed certain financial dealings of organisations suspected of international terrorism. Since the attacks on the American homeland in 2001, the Administration of President

¹⁰⁸ Risen, J. and J. Miller (2003). *Bush's own inspector, David Kay, in official report to Congress admits he can't find any WMDs in Iraq*, Fair And Balanced Dot US. <http://www.fairandbalanced.us/docs/Story/ID890.htm> - accessed 17 October 2003

¹⁰⁹ Knowlton, B. (2003). "U.S. Inspector Sees Much to Pursue in Iraqi Weapons Search." *The New York Times on the Web*, 5 October 2003.

George W. Bush (2001-) has targeted Iraq under a proclaimed policy of pre-emptive self-defence. Its preparedness to exercise its military superiority under such terms has sent a warning to states in the Middle East of America's disposition to act unilaterally in accordance with its own perception of its national interests.

International norms

It is anticipated that, in exercising the instruments described above, a state will conform to general expectations of normative behaviour. The place of international norms¹¹⁰ in influencing state behaviour is a complex one. The strength of a norm, and thus the strength of its influence in international relations, depends on two properties: on its commonality (how many actors of a social system share a value-based expectation of behaviour), and on its specificity (how precisely a norm distinguishes appropriate from inappropriate behaviour).¹¹¹

Many, but not all, international norms are codified in international law.¹¹² Not all important international norms have been codified or, where codified, upheld. The right of a people to self-determination is enshrined in the UN Charter¹¹³ and other instruments. Despite its 'black letter' expression, its normative interpretation in the context of decolonisation has been in relation to nations rather than to peoples. Some international instruments, concluded to regulate activity in particular fields, contain explicit or implicit standards of behaviour and extend, in some cases, to the domestic jurisdiction of subscribing states. Those relating to WMD are generally prescriptive. But subscription to international instruments, and membership of international organisations, may not be comprehensive, even where their compass may be global. Other regimes may be regional or subregional in scope. So even

¹¹⁰ Chayes, A. and A.H. Chayes (1995). *The New Sovereignty: compliance with international regulatory agreements*. Cambridge MA, Harvard University Press. They define 'norm' in a generic sense as including the concepts of principles, precepts, standards, rules, and the like. p.306 (25n)

¹¹¹ Boekle, H., V. Rittberger, [et al.] (1999). Norms and Foreign Policy: constructivist foreign policy theory. Center for International Relations/Peace and Conflict Studies. p.5
<http://www.uni-tuebingen.de/uni/spi/taps/tap34a.htm> - accessed 2 September 2002

¹¹² Statute of the International Court of Justice, Art. 38(1). International law is stated to derive from international treaties, customary international law, 'the general principles of law recognised by civilised nations' and (as 'subsidiary means') judicial decisions and 'teachings of the most highly qualified publicists of the various nations'.

¹¹³ United Nations Charter, Art. 1(2)

though some regimes may contain provisions that might determine standards of behaviour in keeping with international norms, they may not be universally applicable.

Expectations of behaviour in keeping with international norms may also be generated by legal acts of international organisations and the 'final acts' of international conferences. In respect of the former, it does not matter whether the norm contained in such an act is legally binding or not because these norms represent expectations that are regarded as standards of appropriate behaviour by members of that organisation. The criterion for judging their strength is not their legal character but their commonality and specificity.¹¹⁴ The final acts of international conferences are a less precise source of international norms. Their usual adoption by consensus would seem to suggest that the norms they express contain a high degree of commonality, but the emphasis on consensus frequently means that they represent compromise formulas with only low specificity. Final acts are more useful as an indicator of international norms in combination with other indicators of international norms.¹¹⁵

Normative expectations do not operate mechanically in regulating conduct in international relations: 'they are always subject to contestation, interpretation, and reinterpretation. But the norms and rules themselves set the terms of the interpretive discourse'.¹¹⁶ International and transnational interactions are increasing in volume and complexity and induce an expectation of predictability, reliability and stability.¹¹⁷ In this regard, international regimes facilitate the cooperative pursuit of states' interests.¹¹⁸ Peer pressure is such that questionable action must be explained and justified.¹¹⁹ Non-compliance by a state in any single episode may affect future relationships.¹²⁰ Reputation matters, but is not in itself sufficient guarantee of

¹¹⁴ Boekle, [et. al.]. *Norms and Foreign Policy*, p.16

¹¹⁵ Ibid. p.16

¹¹⁶ Keohane, R.O. (2002). *Power and Governance in a Partially Globalized World*. London UK, Routledge. pp.120-1

¹¹⁷ Chayes and Chayes. *The New Sovereignty*, p.124

¹¹⁸ Keohane, R.O. and J.S. Nye (1989 (2nd edit.)). *Power and Interdependence: world politics in transition*. Boston MA, Little, Brown & Co. p.271

¹¹⁹ Chayes and Chayes. *The New Sovereignty*, p.118

¹²⁰ Ibid. p.27

observance.¹²¹ Institutions can be more effective. Monitoring compliance is frequently entrusted to international organisations within the area of their jurisdiction.¹²² Egregious behaviour may also be brought to the attention of the world community by other actors, including non-state ones.

A dominant state may exercise leadership and extend its influence over a number of other lesser states around some mutual interest or interests, establishing norms of behaviour that the influenced states are expected to observe.¹²³ The obligation to conform does not fall equally, however. Hedley Bull has drawn attention to a hegemon's propensity to violate the rights of lesser states, justifying its action 'by appeal to some specific overriding principle'.¹²⁴

The United States has played a formative role in the creation of many global institutions, including the United Nations and its Specialised Agencies. The weight of America's commitment, even during the decades of bipolarity, was such that it is difficult to envisage the inauguration of the world's most significant international organisations in the absence of American support.¹²⁵ The importance of the institutions to the global community ensured their survival when the United States's financial contributions came later to be withheld or tardily delivered. Among the organs conceived with United States participation is the UN Security Council. Its responsibility for peace and security, and endowment with distinctive power, accords it a singular place among international institutions. It has been used by the United States both to prescribe acceptable international behaviour and to frustrate the adoption of rules where they depart from American interests.

Kissinger has written that the test of history will be whether the United States can turn its predominant power into international consensus and its own

¹²¹ Keohane (2002). *Power and Governance*, pp.125-6, 128

¹²² Chayes and Chayes. *The New Sovereignty*, p.125

¹²³ Ibid. The authors distinguish between an 'enforcement model' of compliance and an alternative 'managerial model' in which norms play a part. In this context, norms are defined as 'prescriptions for action in situations of choice, carrying a sense of obligation'. p.113. Their legitimacy depends upon 'the extent to which the norm (1) emanates from a fair and accepted procedure, (2) is applied equally and without invidious discrimination, and (3) does not offend minimum substantive standards of fairness and equity'. p.127

¹²⁴ Bull. *The Anarchical Society*, pp.215-6

¹²⁵ Keohane and Nye (1989). *Power and Interdependence*. They note that international regimes can be 'valuable to great powers, such as the United States, that want to create, but are unable to dictate, the terms of a stable world environment'. p.271

principles into widely accepted norms.¹²⁶ The Clinton Administration made great use of UN Security Council resolutions to advance its interests, a practice made possible by the new era of great power cooperation that followed the demise of the Soviet Union. Despite a policy of 'assertive multilateralism', the Administration relied on international institutions when it suited American purposes, and criticised or ignored them when they did not.¹²⁷ It used international machinery to promote and secure an indefinite extension of the Nuclear Non-proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT) among others, but declined to associate itself with other negotiated international arrangements that it assessed as infringing to an unacceptable degree upon its sovereignty.

In short, while states that wish to receive the benefits of some regimes must accept restraint on their domestic or international behaviour, this is not invariably realised, and states may choose to ignore peer pressure where they believe that an overriding interest would be compromised by observance of some normative requirement.

In the light of the foregoing discussion of power and the means of its application by a state, the following section will address the extent to which the actions of President Clinton and his advisers in seeking to effect a settlement of the Middle East dispute may be said to have engaged the American state as a whole.

Legitimacy of US intervention

Decisions by a state whether and how to exercise power may be influenced by domestic and/or international considerations. Domestically, Bush and Clinton acted in their search for a settlement of the Arab-Israel dispute in accordance with the constitutional responsibility of the President of the United States for the conduct of America's foreign policy. The United States Constitution provides a role for the Senate in respect of treaties and confirmation of appointments of US ambassadors.¹²⁸ It leaves the conduct of the country's international relations to the president. In a pluralistic

¹²⁶ Kissinger, H. (2000). "Our nearsighted world vision." *The Washington Post*, 6 January 2000

¹²⁷ Walt, S.M. (2000). "Two Cheers for Clinton's Foreign Policy." *Foreign Affairs* Vol.79 No.2 (Mar/April 2000) pp.63-79.

¹²⁸ The United States Constitution. Art. II 2(2)

democratic society there will be citizens who do not share the president's view. Within the Congress, contrary views may find expression in the passage of prescriptive legislation, the adoption of resolutions, or in criticism expressed in congressional committees. Within the government some agencies may acquire and seek to advance agendas of their own, vying for influence within the Administration. 'Turf warfare' within bureaucracies, particularly competition among agencies to gain an ascendant position of influence, is an established phenomenon. Non-governmental organisations also struggle to gain influence among the Administration's decision-makers. The support of legislators may be enlisted by agencies and non-governmental organisations for their cause. These less-than-tidy manoeuvrings are inherent in America's democratic processes and challenge the president when engaged in the development of a policy capable of commanding broad public support. He may adjust his policy to accommodate divergent opinion where he deems it in the interest of his government to do so. But even where domestic dissent is evident, only the president has the constitutional authority to direct the course of the country's foreign policy. He may entrust the day-to-day conduct of affairs to officials, notably the secretary for state. When a choice is made among the instruments to be applied to effect a possible settlement of the Middle East dispute, it is by the president - or made in his name with his approval by his designated agents - acting for the state.

The credence of the president *qua* the state is recognised internationally, even among states preferring an alternative foreign policy to that advanced by the United States. One or some may seek diplomatically to secure some modification of policy that accommodates or is not in direct conflict with their own interests; or states may unite in condemnation of some aspect of US foreign policy or its application. The president may respond to such representations where some modification in approach did not materially impair attainment of America's objective. Indeed it is possible that in certain cases accommodation could even broaden the constituency for a desired course of action by co-opting other states. Whether 'going it alone', or acting in concert with other states, there can be no doubt about the legitimacy of the actions of a state that conform to international normative expectations.

It will be seen that neither those sections of the American community for whom Israel held the greatest attraction, nor the leaders of Israel and the Palestinians, and the other Arab states involved in the settlement process, questioned the right of the president and his advisers to speak for the United States and to commit the US to certain courses of action. There were occasions, however, on which domestic and international audiences challenged the preferred policies of the Bush and Clinton Administrations. Domestically, two major institutional constraints were legislative proscriptions against the provision of American aid to Syria, and recognition of or negotiation with the Palestine Liberation Organisation (PLO). Bush's announcement in 1989 that there should be no new Israeli settlements in the West Bank or East Jerusalem annoyed Israel's American supporters. In 1993, some members of the pro-Israel lobby protested at the White House against the adoption of the Declaration of Principles between Israel and the Palestinians as endangering Israel's security, notwithstanding its signature in the presence of Israel's prime minister.¹²⁹ Internationally, Israel's Prime Minister Yitzhak Shamir had been miffed that the US and Soviet Union should have agreed in early 1991 on mutual efforts to promote Arab-Israel peace without proper consultation with him. In 1995 the Israeli opposition tried to lobby among their American friends for a cessation of US aid to the Palestinians, but the Israeli government moved to counter the initiative, believing that such assistance was also in Israel's interest.

Institutionally, conduct of the peace process was entrusted to a select group of officials drawn principally from the State Department. They worked closely and harmoniously with the president and his White House advisers with minimal sign of competition among them for the president's ear. They engaged the specialist assistance of other agencies like the US Agency for International Development (USAID), those agencies charged with the implementation of the presidential Executive Orders and the Central Intelligence Agency (CIA) in particular circumstances. Differences were to emerge about the degree to which USAID programmes should have a developmental focus, but they do not suggest serious disagreement about the

¹²⁹ Clinton, W.J. (2004). *My Life*, p.544

provision of aid as a positive sanction contributing to the attainment of the Administration's objective.

Philosophic differences between the executive and the Republican dominated legislature persisted for much of Clinton's term.¹³⁰ They necessitated an exercise of political skill by the president to secure passage of his legislation. Some domestic actors were critical of the direction in which the president's leadership was taking the peace process and of the president's style, but they did not significantly impair his ability to act in the matter. Leadership in the search for a negotiated solution to the Arab-Israel dispute rested with the president, and no domestic opposition to it arose of sufficient weight to challenge the proposition that he was acting in America's national interest.

Efficacy of power

The relational nature of power has been discussed, as have the instruments of diplomacy that may be employed at the command of a state to secure its goal. In K.J. Holsti's view, power comprises the acts by which one actor influences another actor; the capabilities utilised for that purpose; and the responses solicited.¹³¹ Responses indicate the extent to which the society of states believes that the action of the power-wielding state conforms with normative expectations. The legitimacy of the wielding state's action may be challenged, usually within the UN Security Council although in practice that institution's structure and procedures militate against condemnation of the great powers.

The response, or responses, of the targeted state go to the nub of Morriss's definition - the capacity to effect an outcome.¹³² A declaration of domain and scope, together with an evaluation of the various resources used, is fundamental to any assessment of the efficacy of the projection of power. Determination of the efficacy of American power must distinguish between the 'effectiveness' and 'efficiency' of the diplomatic instruments employed.

¹³⁰ Ibid. Clinton commented that the 'New Right' believed not only that their ideas were better than those of the Democrats, but that their values were better because Democrats were weak on family, work, welfare, crime and defence. p.635

¹³¹ Holsti, K.J. (1988). *International Politics: a framework for analysis*. Englewood Cliffs NJ, Prentice Hall. p.142

¹³² Morriss. *Power*, p.38

Judgement about 'efficiency' involves consideration of the relationship between inputs and outputs, between costs and benefits, and a conclusion about net advantages. 'Effectiveness' relates only to outputs or benefits.¹³³

Efficacy is the yardstick of this study. Any assessment of efficacy needs to address the purpose of employing power and the efficiency of the instruments used. A predisposition to exercise power involves choosing among alternative courses of action, and an examination of their probable costs and benefits. The comparison is between the costs and benefits of the power-wielder's different policy options, not between costs to the wielder and to the target state. Although the ultimate aim of the power-wielding state is to increase the cost to the target state, an increase may not be achievable without also some increase in cost to the wielder. It is impossible, however, for decision-makers to make precise comparisons. At best, their choice involves the making of intelligent guesses. Evaluation of the effectiveness of a selected instrument involves considering whether some other instrument might not have been more efficient. Baldwin assesses the effectiveness of an instrument in relation to the situation, rather than in respect to any quality intrinsic to the instrument.¹³⁴ At the heart of decisions about the projection of power are questions about the usual effects of various techniques, and counterfactual ones about likely outcomes were power not to be projected. The latter may not amount to much more than an educated guess, but such factors have to be taken into account by decision-makers. An assessment of efficacy may be further complicated by imprecision about the goal of the state wielding power: a state may often have a number of objectives, or a general objective embracing many subsidiary ones.

In respect of the case study of this thesis, the objective of a comprehensive and peaceful settlement of the Arab-Israel dispute encompasses many subsidiary issues. The attainment of the overall objective must address, and resolve in some form acceptable to the parties principal, fundamental questions relating to territory, security, and sovereignty. A resolution of these

¹³³ Baldwin (1985). *Economic Statecraft*, p.119

¹³⁴ Ibid. p.123. Baldwin also states: 'Information about the utility of a single technique or category of techniques *has no significance whatever* for decision making until it is set in the context of explicit or implicit assumptions about the comparative utility of alternative techniques'. p.66

issues is dependent upon solutions being found to many other critical ones: the future of Israeli settlements in occupied territory; the status of Jerusalem; the return of Palestinian refugees to some place of permanent resettlement and possible compensatory payments to them; the access of Palestinian labour to employment in Israel; and access to water by the riparian states of the Jordan valley. Effecting satisfactory outcomes for each may require the employment in varying degrees of different instruments or mix of instruments and will challenge America's statecraft. This thesis will analyse how efficiently the Administration used the diplomatic instruments and resources at its disposal to effect an outcome of all these issues satisfactory to Israel and its neighbours.

An assessment of the efficacy of state power must ask whether modified behaviour by the target state can be ascribed to the wielder's power. Rosenau believes that it can.¹³⁵ The task is not likely to be easy. Some commentators argue that attainment of objectives is a matter of degree.¹³⁶ The outcome may not be precisely that sought by decision-makers, and an overall assessment may need to conclude that 'near enough may be good enough'. Modification of behaviour due to the application of positive or negative sanctions may be relatively easy to postulate. The response of the target-state or actor to an offer of assistance, or a threat of the imposition of negative sanctions, will usually be clearly stated. Less readily identified are the target-state's responses to intellectual or psychological influences. Depending upon the circumstances, it may be possible to determine with reasonable precision that the target has been persuaded to modify its behaviour in response to the wielder's intellectual argument, but the extent to which a state or actor may be attracted by the wielder's 'soft power' would be virtually undistinguishable. Nor need it necessarily be immediately apparent that modified behaviour by the target, however encouraged, represented a permanent change of direction, for the target could be seeking some tactical advantage through what it

¹³⁵ Rosenau (1968). "Comparative Foreign Policy". The responses of the target state provide both 'a means of assessing the effectiveness of foreign policy undertakings...[and can]...lead the analyst to treat the foreign policy process as dynamic rather than static'. p.321

¹³⁶ Simon, H.A. (1957 (2nd edit.)). *Administrative Behaviour: a study of decision-making processes in administrative organization*. New York NY, The Macmillan Company. He asserts that 'Attainment of objectives is *always* a matter of degree'. p.177; Waltz (1979). *Theory of International Politics*. Waltz warns that 'powerful agents fail to impress their wills on others in just the way they intend to'. p.192; Baldwin (1985). *Economic Statecraft*, p.131

intended to be a temporary accommodation. Some subjectivity cannot be avoided in assessing the target's response, but the objectives of the target may become more apparent with the passage of time. So, too, may the strength of the wielder's commitment to the objective, for the more protracted the process the more likely it is that other issues will arise to compete for the attention of the power-wielder's decision-makers.

An imprecise result does not mean that the task of analysing the efficacy of American power should be set aside. The methodology of *post hoc* evaluation is widely practised with the particular intent of identifying inefficiencies. It involves recognition of imperfect choices among available options, and limitations on the part of the instruments used. The diplomatic instruments discussed in this chapter offer a basis for critical analysis that should facilitate identification, with some certitude, of areas of strength and weakness in American diplomacy in relation to the case study. While some assumptions may need to be declared where facts have not been stated, employment of these analytical tools offers scope for a disciplined assessment. The *post hoc* evaluative technique to be followed in this study also offers a prospect of remediation for the United States in other diplomatic applications.

Conclusion

The President of the United States has constitutional responsibility for the conduct of his country's foreign relations. The domain and scope of any projection of American power is at the disposition of the president, who may apply various instruments in pursuit or defence of his country's interests. The legitimacy of his action in accordance with normative behaviour is evaluated domestically and internationally, and there may be divergence of opinion about the policies chosen or the means by which they were prosecuted.

The essentially theoretical discussion in this chapter about the concept of power and its application in international relations has been set against a bald statement of the Clinton Administration's Middle East objective. It will be necessary to establish why the United States should have sought to effect a settlement of the Arab-Israel dispute. How deeply committed was the United States to a resolution of the Middle East dispute? How would a comprehensive settlement enhance US interests either in the Middle East or globally? These

matters will be addressed in the next chapter and will give greater substance to America's stated aim.

The unipolar moment has provided the United States with space in which to exert its dominance substantially free from contestation by another great power. The Clinton Administration declared its intention to remain engaged and to lead. If it were to effect a resolution of the Arab-Israel dispute, it would have to persuade the parties principal that it was in their interest to reach accommodations with one another. Its ability to do so would depend upon its statecraft and the efficacy with which the available instruments were employed.

The point of departure for such an evaluation must be a clear statement of the objective. Negotiation is, however, a dynamic process and objectives may be modified in response to changing circumstances. In the case of an Arab-Israel settlement, attainment of the overall objective must resolve fundamental questions relating to territory, security, and sovereignty of the Middle Eastern entities involved. Many critical matters are subsumed under these issues, such as the 'right of return' of Palestinian refugees to some place of permanent settlement and possible compensatory payments to them. Prior identification of all contentious issues would be complex and confusing. The Bush and Clinton Administrations preferred to express their objective in broader, more general terms.

Judgement about the effectiveness of the United States's action is the substance of *post hoc* evaluation. An analysis of the efficacy of the instruments employed for the projection of American power will provide the basis for an assessment of the limits of American power in relation to this case study. It should be possible to observe modification of the target states' and Palestinians' behaviour in response to positive or negative American sanctions. Their responses to American intellectual or psychological influences may prove harder to assess. Some subjectivity cannot be avoided in evaluating the effectiveness of the employment of American instruments. Despite these qualifications, shortcomings might be identified that could be remedied in other American diplomatic applications.

Chapter 2

Interests and linkages: the United States and the Middle East

The salience of the Arab-Israel dispute among the United States's interests in the Middle East argues strongly for its resolution in America's national interest. The dispute lies at the intersection of America's principal interests in the region, and there are clear linkages among these interests. A comprehensive settlement would not remove all regional tensions, but it would extract the most probable cause of conflict in the Middle East and the wider Islamic world and open the way to enhanced regional cooperation. A settlement is, therefore, also in the interest of the disputants.

The United States's interests include its support for Israel,¹ desire for assured oil supply at 'affordable' prices, concern about the possible proliferation of WMD, and prosecution of counterterrorism measures.² The United States's global strategic interests include the Middle East where regional tensions and periodic conflicts have engaged it in military operations and/or diplomatic initiatives to negotiate cease-fire agreements. How the skill

¹ It might be argued that support for Israel is a policy, not an interest. America's special relationship with Israel, however, is so deeply based within the American community as to entitle it to be characterised as an interest. America's Jewish and fundamentalist Christian communities share an abiding emotional attachment to Israel and this is reflected in their respective political contributions to both the Democratic and Republican parties. Political support for Israel is bipartisan. Beyond those communities there are many Americans sympathetic to the post-*holocaust* foundation of the State of Israel and admiring of its resilience, especially in the 1967 war, and of its democratic institutions. Fund-raising for Israel within non-governmental institutions is significant; and Israel is the beneficiary of extensive military, economic and intelligence assistance from the American state. Israel is always able to rely on United States support *in extremis*. Official support for Israel was not historically as robust as it has become in more recent times, but it is inconceivable that American public opinion would countenance any significant diminution in United States support for that country. Differences between Israel and the United States do arise, but they are generally handled discreetly. For example, Clinton held to his commitment never publicly to criticise Israel.

² Hashim, A.S. (2003). *Policy Brief: the Sunni insurgency in Iraq*. Washington DC, The Middle East Institute. He argues that terminology betrays a political bias, and that it may determine the solution to the problem. He uses 'insurgency', which refers to 'a violent uprising by a population or segment thereof of a given state against their own government or foreign power in occupation of their country'. While the generic terms 'terrorism/terrorist' are generally used in this thesis interchangeably with 'insurgency', the latter is used where it accords with Hashim's definition. <http://www.mideasti.org/html/perspective20030814-hashim.html> - accessed 19 August 2003; cf. Albright (2003). *Madam Secretary* op. cit. She acknowledges that the term 'terrorist' is a loaded one, 'especially controversial when applied to those struggling on behalf of a nationalist cause', but has concluded that '[t]here is no political, historical, religious, economic, or ideological justification for willfully murdering innocent people'. p.377

of managing competing foreign policy interests and objectives is exercised on behalf of the United States depends upon the relative importance attached to them by American Administrations. It is a dynamic process: the importance of issues varies over time. For example, access to Middle Eastern oil supply has been an American interest since before World War II. After the war, the question of Jewish settlement in Palestine and the declaration of the State of Israel engaged American sympathy and support. The tension between America's commitment to the security of the new Jewish state and the maintenance of good working relationships with the Arab oil-producing states has required careful management, particularly in the context of hostilities between Arabs and Israelis. For many years United States Administrations worked to depoliticise oil supply, and had been broadly successful in keeping that question apart from the issue of Israel's existence. An attempt in 1973 by Arab oil producers of the Gulf states to reduce supply in order to provoke the United States into mounting an initiative to resolve the Arab-Israel dispute produced unforeseen consequences in classical Waltzian terms, which are discussed below. While Gulf producers have since been more circumspect about employing 'the oil weapon' for political purposes, American diplomacy continues to address the tension between support for Israel and friendship with Arab states.

America's Middle Eastern diplomacy has been complicated by the growing resort to insurgency by actors opposed to the existence of Israel and America's support for that country. American state and non-state agents have become targets, both in the Middle East and beyond; and successive US Administrations have been fearful that terrorists may be able to take advantage of a growing proliferation of WMD to acquire them for use against American interests, including in continental America.

Former President Jimmy Carter's discussions with Middle Eastern leaders in 1983 affirmed the strength of their view that the Arab-Israel dispute was the central international relations issue in the Middle East: there can be no peace in the Middle East without a resolution of the core Palestinian question.³

³ Carter, J. (1985). *The Blood of Abraham*. Boston MA, Houghton Mifflin Company. p.204. The centrality of the Arab-Israel dispute was a constant theme in discussions between the former President of the United States and leaders in Israel, Syria, Lebanon, Jordan, Egypt and

It is not at all clear, however, that a peaceful resolution of the Arab-Israel dispute – if it could be concluded – would defuse the range of other tensions, animosities and issues among regional states or between them and the United States. Each state in the Middle East has its own economic and social aspirations and perceptions of its security needs apart from those affected by disputation over Israel's borders and the future of the Palestinians. But resolution of the Arab-Israel dispute might be expected to lower the general temperature within the region, offering prospect for negotiated settlement of other intra-regional differences.

Given that Israel's existence and policies are *prima facie* critical factors that any negotiated settlement must address, this analysis begins with the implantation of a Zionist agency into the Middle East.

The Arab-Israel dispute

Theodor Herzl and some other prominent Jewish figures in Europe decided in the late nineteenth century to seek a homeland for Jews in Palestine. They were prompted to do so because of the failure of Jewish efforts to become assimilated in European society, an intensification of anti-Semitism, and a parallel and not unrelated upsurge in nationalism which identified Jews as an alien and unwanted minority in the countries in which they lived.⁴ Their decision built upon an emotional attachment to the land of Zion - Zion being one of the biblical names for Jerusalem - expressed in Jewish prayers ever since the destruction of the city's First Temple in 586 BC. They were aware of the existence of a non-Jewish population in Palestine, noting 'that there resides in our treasured land an entire people which has clung to it for hundreds of years and never considered leaving it',⁵ but had confidence in the compatibility of Arab and Jewish interests. The strength of

Saudi Arabia during Carter's journey to the Middle East in 1983. He had worked with many of the leaders during his presidency and was able to build upon his acquaintance with them, and upon his peace-making credentials established through his role in the conclusion of the Egypt-Israel peace treaty of 1979.

⁴ Shlaim, A. (2000). *The Iron Wall: Israel and the Arab World*. London UK, Penguin Books. p.2

⁵ Gorny, Y. (1987). *Zionism and The Arabs 1882-1948: a study of ideology*. Oxford UK, Clarendon Press citing a passage from Yitzhak Epstein's article 'The Hidden Question' of 1907. Gorny describes Epstein as recognizing that Palestine belonged in practice to both Jews and Arabs, and as being the first to state explicitly that the implementation of Zionism depended on Arab consent. p.43

Arab nationalism and the weight of its opposition to Zionist aspirations were underestimated by almost all the currents of opinion in the Zionist movement.⁶

There was a considerable diversity of view among both Zionists and Arabs about the possibility of their coexistence during the period before World War I. As Jewish settlement grew, differences of opinion on this question developed among the European Zionists and between them and the settler community, and within the settler community. They ranged from the notion of expulsion of Arabs as necessary for the realisation of *Eretz Israel*,⁷ to a hope that economic growth would create conditions favourable to promoting the well-being of Arab and Jewish labour. Arab nationalists were also divided. As late as 1913 only a small minority of Arabs living outside Palestine was opposed to Zionism or held the opinion that it threatened an Arab renaissance. There was a school of thought that Jewish immigration would contribute to the economic well-being of the country, although this was not the predominant view among Palestinian Arabs who were concerned about the progressive alienation of their land.⁸

The early Zionists sought the backing of the great powers of their day for the establishment of a Jewish homeland, keeping secret their ambition of eventual statehood.⁹ They turned to states with a colonial tradition that were not likely to object too strenuously to the implantation of one people into the territory of another, and found a receptive audience in Britain. Britain and France were keen to divide the Ottoman Middle East between them after the Great War and concluded a secret agreement to that effect in 1916. The Sykes-Picot agreement was silent about the disposal of the collection of Ottoman administrative units within which the Palestinian people lived.¹⁰ Britain saw advantage in denying 'Palestine' to the French. It sympathised

⁶ Tessler, M. (1994). *A History of the Israeli-Palestinian Conflict*. Bloomington IN, Indiana University Press. p.134

⁷ *Eretz Israel* is the Hebrew phrase for the Land of Israel west of the Jordan River whose gift to the Israelites, together with an injunction that they settle and live there, is described in Deuteronomy 11:31; Noyes, J.H. (1997). "Does Washington really support Israel?" *Foreign Policy* Iss.106 Spring 1997 quotes Menachem Begin's assertion that 'he who does not recognize our right to the entire homeland does not recognize our right to any of its parts'. p.152

⁸ Tessler. *History of the Israeli-Palestinian Conflict*, Ch.3, especially pp.141-4

⁹ Shlaim (2000). *The Iron Wall*, pp.3, 8

¹⁰ Tessler. *History of the Israeli-Palestinian Conflict*. The composition of 'Palestine' and 'Transjordan' out of various Ottoman administrative units, and their eventual separation by the British, is discussed at pp.159-65

with the Jewish aspiration for a homeland; and issued the Balfour Declaration in 1917 'favouring the establishment in Palestine of a national home for the Jewish people', but with an inherently contradictory caveat that 'nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine'. After Britain had secured a Mandate for the administration of Palestine under the League of Nations, the Zionist movement saw an opportunity to press its own interpretation of the Balfour Declaration including for international recognition of the Jewish claim to Palestine and a Jewish national home that stretched across both banks of the Jordan River.¹¹

Arab resistance to the continuing immigration of Jewish settlers mounted during the period between the two world wars, notably in the form of the Arab Revolt (1936-39). The Zionist movement concluded that voluntary agreement between themselves and the indigenous Arab population was inconceivable and that Jewish settlement should proceed under Jewish military protection. As the Mandatory, Britain had sought to balance the interests of the two communities, but found itself increasingly the target of attack by both. Britain, which had been exhausted by World War II, recognised that under the changed circumstances of the post-war period, including demands for self-determination from its colonial subjects, it could no longer maintain an empire 'east of Suez'. The strategic value of the mandated territory in providing depth abreast the sea route to Britain's Asian colonies was accordingly diminished. Widespread international sympathy for the Jewish people because of their suffering during the war translated into support for a Jewish homeland. Balancing the competing interests of Arabs and Jews became unattractive, the more so as the colonial administration came increasingly under fire from militant Jewish organisations, and Britain referred the matter to the United Nations which decided in November 1947 to partition the country. Jews saw in the passage of UN General Assembly Resolution 181 'a tremendous gain of international support for the establishment of a Jewish state',¹² while Arab states denounced it as illegal and threatened to resist its implementation by force.

¹¹ Shlaim (2000). *The Iron Wall*, p.8

¹² Ibid. p.25

The threat of force quickly translated into the reality of war. The war lasted from November 1947 to 1949, and saw Egypt, Jordan, Lebanon, and Syria in alignment with indigenous Palestinians against the Jewish forces. The State of Israel was officially declared during the war and recognised by America and the Soviet Union. The Arab inhabitants lost land to the Israelis, and some 700,000 Palestinians were driven to seek refuge in neighbouring countries. At the end of the war, some 92,000 Arabs remained in Israel alongside 716,000 Jews. Armistice lines demarcated Israel from a large parcel of land on the West Bank of the Jordan River under Jordanian administration, and a smaller strip along the Mediterranean coast at Gaza under Egyptian administration. The Jordanian area included East Jerusalem with its Haram al-Sharif/Temple Mount site of religious importance to Muslims and Jews. A second major conflict with Arab states occurred in June 1967, in the course of which Israel occupied East Jerusalem and the West Bank, and captured the Golan Heights from Syria. It also captured the Sinai Peninsula from Egypt. A further major war took place in October 1973. Between, and after, these landmark events Israel was engaged in military activity against various neighbours as they contested Israel's acquisition of territory by force, and Israel pursued the illusion of security. Israel was involved in the conflict against Egypt over the Suez Canal in 1956. The October War was the third Syrian-Israeli war and the fifth Egyptian-Israeli war. Israel invaded Lebanon in 1982, and conducted large-scale military assaults against that state in 1993 and 1996. It was the subject of attack by Iraqi missiles during the Gulf War of 1991.

American support for Israel

In the view of Israeli historian Avi Shlaim, the Zionist movement displayed during its formative phase 'two features that were to be of fundamental and enduring importance in its subsequent history: the nonrecognition of a Palestinian national entity, and the quest for an alliance with a great power external to the Middle East'.¹³ After World War II, the United States replaced Britain as Zionism's principal external supporter, President Truman deciding that he was not bound by President Roosevelt's

¹³ Ibid. p.5

undertaking to the King of Saudi Arabia 'that Arab interests in Palestine would not be sacrificed to Jewish aspirations for nationhood'.¹⁴ Contemporary American support is anchored in its Jewish and fundamentalist Christian population, but includes many other elements for whom recall of the *holocaust* inspires a need for atonement, Israel's pioneering spirit and struggle for survival amidst a numerically superior and hostile Arab neighbourhood has sparked admiration, and shared Judeo-Christian principles and democratic values provide a sense of common outlook. Zionism has appeal to American Christian fundamentalists as well as to America's Jewish community. 'Christian Zionists' see the State of Israel as a fulfilment of Biblical prophecies, as conferring upon this largely secular state a divine right to the land called Israel and Palestine, and as paving the way for the second coming of Jesus the Messiah.¹⁵ They entered into a coalition with Israeli lobbyists in 1978; and the National Unity Coalition for Israel became the lobbying arm of Christian Zionism with contacts in Congress and neo-conservative think-tanks in Washington.¹⁶

There is a popular perception that America's support for Israel is due to the influence of its Jewish community. Implicit in this is a belief in some form of central direction that enables a relatively small community to maximise its influence, but Jews in America are anything but united. Their influence is the result of demographics and their use of basic American rights. Although constituting only 2.5 per cent of the American population, they vote in greater numbers than other Americans: they are nearly twice as likely to vote as non-Jews.¹⁷ That still leaves them in the minority. But they are far more likely to fund their candidates and political causes, and actively to volunteer their time. Demographically, 81 per cent of all American Jews live

¹⁴ Al-Farsy, F. (1996 (rev. edit.)). *Modernity and Tradition: the Saudi equation*. Guernsey, Knight Communications. p.26

¹⁵ Wagner, D.E. (2001). *Dying in the Land of Promise: Palestine and Palestinian Christianity from Pentecost to 2000*. London UK, Melisende. He describes Christian Zionists as the most conservative wing of America's evangelical community. They make up about 20 per cent of the evangelical community, which itself constitutes over 20 per cent of the 225 million Christians in the United States. p.18

¹⁶ Fisk, R. (2002). "A strange kind of freedom." *The Independent*, 9 July 2002.

¹⁷ Goldberg, J.J. (1996). *Jewish Power: inside the American Jewish establishment*. Reading MA, Addison-Wesley. p.30

in the nine states that cast 202 of the 535 votes (37 per cent) in the Electoral College to choose the President of the United States.¹⁸

The Jewish vote generally favours the Democrats, core support for the Democrats running at about 55 to 60 per cent against about 10 per cent for the Republicans. The more numerous Christian fundamentalists tend to support the Republicans.¹⁹ A liberal predisposition among Jewish voters has been evident since the presidential election of 1800 when Thomas Jefferson and his party championed freedom of religion against the rival Federalists who 'feared disorder unless the government were a force for morality, and that meant Christianity'.²⁰ Jimmy Carter was one of only two Democrat candidates in the twentieth century to win the presidency with less than half the Jewish vote.²¹ In the presidential election of 1992, Bill Clinton received 78 per cent of the Jewish vote.²²

Within the Jewish community there is a schematic division of labour, although in practice there may well be some blurring at the edges. The Conference of Presidents of Major American Jewish Organisations seeks to forge a consensus on Israel from among the diverse views of organised American Jewry, which the American Israel Public Affairs Committee (AIPAC) then translates into political clout in Washington. AIPAC has few registered lobbyists among its staff. Its influence lies in an ability to mobilise volunteers at every level of the electoral process. They quiz candidates about their views on Israel and circulate them.²³ A further source of AIPAC's influence lies in its provision of well-presented research material to members of the Congress and their staffers. The Washington Institute for Near East Policy, formed by Martin Indyk, a past-president of AIPAC, has sought to bring an intellectual dimension to the debate in America on the Middle East. The United Jewish Appeal, 'the central engine driving all the other parts of the

¹⁸ Ibid. pp.30-1. In the seven states in which Jews are most populous, their percentage of the electorate is: New York (18.3 per cent), New Jersey (9.9 per cent), Massachusetts (8.3 per cent), Florida (8.2 per cent), Maryland (8.1 per cent), Connecticut (6.2 per cent) and California (5.8 per cent).

¹⁹ Buruma, I. (2003). "How to talk about Israel." *The New York Times on the Web*, 31 August 2003.

²⁰ Goldberg. *Jewish Power*, pp 28-9

²¹ Ibid. p.33

²² Ibid. pp.34-5

²³ Ibid. Ch.8; Melman, Y. and D. Raviv (1994). *Friends in Deed: inside the U.S.-Israel alliance*. New York NY, Hyperion. Ch.16

machine called the organised American Jewish community', raises funds for Israel.²⁴ Its contributions to the Jewish Agency for Israel, the largest social-service provider in that state, form the budgetary core of the Agency.²⁵

Prime Minister Yitzhak Rabin was unhappy with AIPAC's inhibiting influence on the Clinton Administration and decided in 1992 that Israel would deal with the United States on a government-to-government basis. At his behest the Israel Policy Forum was established to support US involvement at the highest levels to advance the peace process.²⁶

There are significant differences between the Arab American community and the Jewish one in terms of size and political influence. The Arab American community is very small, officially estimated at 1.5 million people of Arab descent, and is dispersed over all 50 states.²⁷ A claim that it could be as large as 3.5 million, suggests either some hesitation about identifying with that community or about association with an organisation purporting to advance the community's interests. The Arab Americans claim descent principally from Lebanon (56 per cent). There are smaller contingents from Syria, Egypt and Palestine. Twenty-two per cent identify their religion as Islam, while 70 per cent are members of various Christian denominations.²⁸

An Arab American Institute, committed to the civic and political empowerment of Americans of Arab descent, was founded in 1985. It promotes immigrant rights; and lobbies for enhanced American cultural, educational, diplomatic, and economic and security ties with Arab countries. It supports a viable Palestinian state, the integrity of Lebanon, US assistance to advance economic and political development in the Middle East, and a balanced American role in promoting regional peace and prosperity. The Institute circulates scorecards among its membership indicating how members

²⁴ Goldberg, *Jewish Power*, pp.352-3

²⁵ Ibid. p.353

²⁶ Rosenberg, M.J. (2003). Middle East and the 2004 Presidential Elections. Presented at: *57th Annual Conference*. Washington DC, The Middle East Institute.

http://www.mideasti.org/programs/programs_conference_transcript.html - accessed 6 November 2003

²⁷ Arab American Institute (2004). "U.S. Census." Washington DC, Arab American Institute. <http://www.aaiusa.org/census.htm> - accessed 10 September 2004

²⁸ Zogby, J.A. (2000). "The Arab American Vote in the November 2000 Election." Washington DC, Arab American Institute. http://www.aaiusa.org/PDF/poll_00.pdf - accessed 10 September 2004

of the Congress have voted on issues of importance to them.²⁹ A study undertaken by the Institute in relation to the 2000 presidential election³⁰ shows that about 40 per cent of Arab Americans generally support the Democratic Party and 38 per cent the Republican Party. There exists a high percentage of swinging voters within the community in addition to the 22 per cent who are not affiliated with either party. Clinton was the preferred choice in 1996, attracting 54.5 per cent of Arab American votes, but the majority cast their votes for Bush in 2000. Almost half of those Democratic Party supporters who abandoned the party's presidential candidate did so because of the inclusion of Senator Joseph Lieberman on the party's ticket as its nominee for the position of Vice-President.³¹

A survey has shown that 'a moral obligation to prevent the destruction of the state of Israel' is the only international commitment that elicited stronger Democrat than Republican support in America.³² Despite the Democrat connection,

[t]he strong U.S.-Israel alliance as we now know it...commenced under Richard M. Nixon, a Republican president elected with almost no Jewish backing. Every president before him had attempted a posture of evenhandedness in the Middle East...Nixon dropped the attempt at balance and declared Israel for the first time to be a "strategic asset" in the Cold War. On his watch, the United States replaced France as Israel's main arms supplier. American aid to Israel sky-rocketed from \$300 million to \$2.2 billion per year, making Israel the largest recipient of U.S. foreign aid. U.S.-Israel relations became big business. That made Israel's allies important players in Washington power politics.³³

While the antecedents of the close relationship between America and Israel lay in the politics and military strategy of the Cold War, an outcome was the elevation of the Jewish establishment into Washington's hierarchy of political activists. Goldberg attributes this, in part, to Israel's victory in 1967, 'which touched off a wave of nationalist passion among Jews in America and

²⁹ Arab American Institute (2004). "About AAI." Washington DC, Arab American Institute. http://www.aaiusa.org/about_us.htm - accessed 10 September 2004

³⁰ Zogby. "The Arab American Vote."

³¹ Ibid.

³² Holsti, O.R. (1996). *Public Opinion and American Foreign Policy*. Ann Arbor MI, University of Michigan Press. p.149

³³ Goldberg. *Jewish Power*, p.14

around the world',³⁴ reinforcing the process of politicisation and empowerment.

Over the eight years of the Clinton presidency US government assistance to Israel amounted to \$25.8 billion, of which 61 per cent was granted for military purposes and 36 per cent for economic purposes.³⁵ In 1998, and on the initiative of the Israeli Government, agreement was reached on a phasing-out of the economic grant over a 10-year period while the military grant component would rise from \$1.8 billion per annum to \$2.4 billion per annum. Israel is permitted, under an exceptional arrangement, to spend about 25 per cent of its military grant within Israel whereas the general practice is that all US foreign military financing is spent in the United States.³⁶ The access that the American defence production industry enjoys to the residual \$1.8 billion each year broadens the compass of the pro-Israel lobby to include the elected representatives of the congressional districts in which Israeli defence contracts are awarded. The level of defence assistance is such as to sustain Israel's qualitative edge over the military capabilities of all of its neighbours. America's total official aid package to Israel since 1949 amounts to \$87.2 billion,³⁷ almost 30 per cent of which was disbursed during the Clinton Administration. To the total amount must be added the voluntary contributions and benefactions to Israel from private sources in the United States.

Although support for Israel is deeply-held by American Jews, they have been critical of Israel where they have judged it necessary. A major difference of opinion arose in relation to a definition of a Jew by Israeli Orthodox rabbis in 1988 who challenged the legitimacy of conversions to Judaism conducted by Reform and Conservative rabbis in America.³⁸ The root of the issue involved questions of religious interpretation, but it was also a state matter in that it could affect the right of Jews to immigrate to Israel in accordance with one of the country's basic laws. The Israeli government

³⁴ Ibid. pp.15-6

³⁵ Mark, C.R. (2001). *Israel: U.S. foreign assistance*. Washington DC, Congressional Research Service, The Library of Congress. pp.12-3, Tables 2 and 3

³⁶ Ibid. p.3

³⁷ Ibid. p.12

³⁸ Melman and Raviv. *Friends in Deed*, pp.312-3

caved in to the protests of American Jews against pressure from the Israeli Orthodox 'right'.

The ability of the pro-Israel lobby to marshal intellectual argument and press its case with members of the Congress and with the media has not automatically translated into pro-Israel policy by American Administrations, partly because of different agendas within the lobby.³⁹ US Administrations have declined to act in conformity with formal congressional decisions when they have assessed them as being inimical to other American interests. Resistance to expressions of congressional support for the transfer of the Embassy of the United States from Tel Aviv to Jerusalem, formalised in law in November 1995, is an example.⁴⁰ And on four occasions Administrations have informed the Congress that Israel 'may have violated' the provisions of the Arms Export Control Act and the Mutual Defense Assistance Agreement. The Congressional Research Service has recorded that the United States was investigating whether Israel misused US military equipment when Apache helicopters were employed to kill Palestinians suspected of insurgency and when F-16 aircraft attacked Palestinian facilities.⁴¹ Such investigations have rarely resulted in United States condemnation of Israel.

Until an evolution in Arab thinking toward acknowledgement of Israel's existence began in 1981-82, America's position was in fundamental opposition to that of the Palestinians and their Arab supporters. Former President Carter summarised Syria's view in terms that he claimed were 'quite compatible with those of many other Arabs'.⁴² His snapshot, written after a visit to the Middle East in 1983, may serve as a template for the Arab position. While it requires some modification to take account of subsequent developments, it nevertheless captures the heart of the Arabs' grievance.

³⁹ Siegman, H. (1995). "U.S. Jewish groups abandoned Rabin." *The New York Times*, 11 November 1995. He wrote that: 'Opponents of the peace process in the American Jewish community, including the Zionist Organisation of America and Orthodox Jewish organisations, constitute altogether less than 10 per cent of the American Jewish community. Yet they had the field to themselves as they lobbied the United States Congress for the adoption of mischievous measures intended to undermine Mr Rabin's efforts [to implement the Oslo accords]'. <http://www.washington-report.org/backissues/0196/9601088.html> - accessed 17 August 2003

⁴⁰ Mark, C.R. (2002). *Israeli-United States Relations*. Washington DC, Congressional Research Service, The Library of Congress. p.7; Clarke, D. (1995). "Israel's unauthorized arms transfers." *Foreign Policy* Iss.99 Summer 1995 pp.89-109.

⁴¹ Mark (2002). *Israeli-United States Relations*, p.12

⁴² Carter (1985). *The Blood of Abraham*, p.65

The Syrians complain that the Israelis consider it the right of every Jew in the world, needy or not, to settle in the Arab territories that they control by force – the West Bank, Gaza, the Golan Heights, and parts of Israel itself – but that they refuse to allow the homeless and suffering Arabs driven out of their country to return to the dwellings and lands to which they still maintain legal deeds. They argue that while Israel claimed the right to its statehood in Palestine in 1948 because it was only re-creating a nation demolished in ancient times, it rejects the recognition of a Palestinian state in the same area – the very place that the Palestinians and their ancestors have inhabited continuously for thousands of years...Syrians say that Israelis claim the Jews of the world constitute one people, regardless of obvious differences in their identities, languages, customs, and citizenship, but deny that the Palestinians constitute a coherent people even though they have one national identity, one language, one culture, and one history...[T]he Syrians argue that to ensure security for itself, Israel creates excuses to expand, to occupy new lands, and to build permanent military outposts that are developed into civilian settlements, then creates circumstances to defend the new settlements by further expansion, strengthened military forces, and the displacement of the Arab inhabitants.⁴³

The Arabs' case revolves around questions of Israel's legitimacy and Palestinian self-determination. They maintain that Israel's actions had been made possible because of America's support - moral, financial and military. In their view it was unlikely that Israel would move to accommodate the Palestinians unless or until required to do so by the United States, and pan-Arab orthodoxy precluded resolution of their own differences with Israel before then. For an accommodation to be reached there had to be a change in America's Middle East policy.

Having sketched the antecedents of the Arab-Israel dispute, the following discussion will show how each of three significant American interests in the Middle East is capable of being manipulated by Arab and Muslim states to impress upon the United States the need for a resolution of the dispute that accommodates Palestinian aspirations.

'Affordable' oil supply

The United States's dependence in the 1970s on petroleum supplies from the Gulf⁴⁴ left it vulnerable to manipulation of supply by the Gulf's Arab producers in order to effect a change in American policy more sympathetic to

⁴³ Ibid. pp.65-6

⁴⁴ Although its proper name is 'Persian Gulf', the sensitivities of the Arab littoral states are such that 'the Gulf' is used in this thesis without an adjective.

the cause of the Palestinians. Their action in 1973-74 brought home to Americans the need for diversification of supply. Some 48 per cent of America's crude oil imports now derive from states, principally in the Western Hemisphere,⁴⁵ which are not members of the Organisation of Arab Petroleum Exporting Countries (OAPEC). Nevertheless, 29 per cent still comes from Middle Eastern producers including Iraq.⁴⁶ Saudi Arabia remains America's largest single supplier at about 17 per cent.⁴⁷

The United States's interest in 'affordable' oil supply extends beyond its own import needs because of its global economic connections. The Gulf oil producers' action in the early 1970s triggered panic and a rapid escalation in oil prices. At the macro-economic level, every 1 million barrels per day (mbd) reduction in supply can increase prices by \$3 to \$5 per barrel (pb).⁴⁸ Any such price rise impacts on the economic 'locomotive' role of the industrialised economies. Sharp increases in oil prices cause economic crises: world GNP growth can fall by up to 1 per cent for every \$5 pb increase in oil prices,⁴⁹ but according to Fatih Birol, the International Energy Agency's chief economist, the duration of macro-economic impacts of oil price increases (or falls) are primarily limited to two years after the price change.⁵⁰ Because its own economy is so robust, America is better able than many other countries to weather the effect of such factors, but it cannot remain immune.

The extraordinary events of 1973-74 saw a doubling of the price to \$10.46 pb, the Iranian revolution took the price to \$18 pb, while for the first five years of the eight-year Iran-Iraq war the price hovered in the range of \$28-34 pb. It fell thereafter, and rose again to \$22 pb in 1990 as a

⁴⁵ US Department of Energy (2000). *Annual Energy Review 2000*. Washington DC, US Department of Energy, Energy Information Administration.

⁴⁶ Centre for Global Energy Studies (2002). "US dependence on oil - the real problem." *Global Oil Report - Market Watch* 9 May 2002 Vol.13 No.3. London UK, Centre for Global Energy Studies.

⁴⁷ US Department of Energy (2002). *Imports of Crude Oil and Petroleum Products into the United States by Country of Origin*. Washington DC, US Department of Energy, Energy Information Administration.

⁴⁸ Emerson, S.A. (2000). The Relevance of Caspian Oil for the World Market. *Caspian Energy Resources: implications for the Arab Gulf*. The Emirates Center for Strategic Studies and Research. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. p.176

⁴⁹ Krapels, E.N. (1993). "The Commanding Heights: international oil in a changed world." *International Affairs* Vol.69 No.1 (January 1993). p.87

⁵⁰ Birol, F. (1999). *Oil Price Changes and the Macroeconomy: a brief overview*. Paris, OECD, International Energy Agency

consequence of Iraq's invasion of Kuwait.⁵¹ The price fell again over the following decade to \$10 pb in 1998⁵² before rising once more to over \$30 pb during 2000.⁵³ Price became a matter of considerable domestic political importance to the Clinton Administration during 2000 after a cold winter and as it prepared Vice-President Gore's candidacy for the presidency. Clinton's energy secretary made representations to ministers of the Organisation of Petroleum Exporting Countries (OPEC) before their meeting in March 2000 to increase supply,⁵⁴ and the president made personal representations to that effect to the Saudi king.⁵⁵ OPEC agreed to increase production by 800,000 barrels a day.⁵⁶ For most of Clinton's tenure oil prices were low and oil was not a critical foreign policy issue. The United States intervened when the Administration believed it had become necessary to do so. Its representations in 2000 focussed on supply, relegating pricing to a mantra that '\$10 pb was too low, while \$30 pb was too high'. Clinton broke with his country's free-market principles, declaring that oil prices ought to be 'somewhere in the neighbourhood of \$20 to \$25 per barrel'.⁵⁷ The OPEC ministers concurred.

The 'oil weapon'

For much of Israel's formative period, through the wars of 1947-49 and 1967, the supply of oil from the Gulf states was under the oligopolistic control of private American and European companies. An attempt by Arab oil producers to exert pressure for the return of the occupied territories through a reduction in oil supply in the aftermath of the June 1967 war proved

⁵¹ US Department of Energy (2002). *Energy Information Sheets - Crude Oil and Petroleum Product Prices*. Washington DC, U.S. Department of Energy, Energy Information Administration.

<http://www.eia.doe.gov/neic/infor sheets/petprices.htm> - accessed 8 October 2002

⁵² Gause III, F.G. (2000). "Saudi Arabia: over a barrel." *Foreign Affairs* Vol.79 No.3 (May/Jun 2000) pp.80-94.

⁵³ Cambridge Energy Research Associates (2000). *Crude Oil Prices: 1865-2000*, Cambridge MA, Cambridge Energy Research Associates.

http://users2.ev1.net/~hankw/pfaa/WO_pdf.pdf - accessed 8 October 2002

⁵⁴ Lopez, J. (2000). *US pressure on OPEC meeting to increase oil production*, World Socialist Web Site. http://www.wsws.org/articles/2000/mar2000/opec-m27_prn.shtml - accessed 25 September 2003

⁵⁵ Clinton, W.J. (2004). *My Life*, p.900

⁵⁶ Ibid. p.922

⁵⁷ Clinton, W.J. (2000). Remarks on Departure for Phoenix, Arizona, and an Exchange with Reporters, 22 June 2000. *Public Papers - President Clinton, 2000*, p.1433. In a radio address on 1 July, Clinton accused the Republican Congress of failing to act on key elements of his Administration's strategy to meet America's energy needs in the 21st Century, including the development of alternative energy sources. Ibid. pp.1578-9

ineffectual, largely because the Shah's regime refused to join the boycott and increased Iranian oil production.⁵⁸ At that time Western consumers were not heavily dependent on Arab oil, and the United States was able to satisfy its own needs from domestic and other sources and to assist those Western European countries whose oil supplies were threatened.⁵⁹ In August 1967, and at the request of oil-producing states, an Arab summit agreed to the ending of the embargo in return for annual subsidies to Egypt, Jordan and the PLO, the cost to be split among Saudi Arabia, Libya and Kuwait.⁶⁰

Changed economic circumstances in 1971-73, including America's growing dependence on Gulf oil, and appeals from President Anwar Sadat to Saudi Arabia to use the 'oil weapon', persuaded King Faisal to do so. The king planned to apply increasing pressure on the United States for an appropriate initiative on the Arab-Israel front, failing which Saudi Arabia would cut back its output expansion programme and eventually freeze production at the prevailing (early 1973) level of 7 mbd.⁶¹

Before the plan could be put into effect, the October War between Egypt and Syria and Israel had started.⁶² For their part, the two Arab states sought to effect a change in American Middle East policy by resorting to force against Israel. Neither expected a victory, but both hoped to recover some of the territory they had lost to Israel in 1967. The day after hostilities began, the Egyptian president sent a secret message to the United States making it clear to America, and thus to Israel, that his country entertained only limited objectives.⁶³ In indicating that Egypt would be prepared to participate in a peace conference under UN or other neutral auspices, and to agree to freedom of navigation in the Straits of Tiran, previously denied to Israeli shipping, if Israel withdrew from all occupied territories captured in 1967, Sadat was appealing to the United States to exercise its power to broker a settlement of the dispute.

⁵⁸ Saikal, A. (1980). *The Rise and Fall of the Shah*. Princeton NJ, Princeton University Press p.107

⁵⁹ Tessler. *History of the Israeli-Palestinian Conflict*, p.480

⁶⁰ Heikal, M. (1996). *Secret Channels: the inside story of Arab-Israeli peace negotiations*. London UK, Harper Collins Publishers. p.131

⁶¹ Seymour, I. (1982). *OPEC: instrument of change*. London UK, Macmillan Press. p.111

⁶² The war began on the Jewish Day of Atonement (Yom Kippur) on 6 October 1973. The fighting ended on 24 October.

⁶³ Heikal. *Secret Channels*, pp.181-2

The Arab states' early military successes prompted the United States to airlift materiel to Israel, to be financed from a special aid allocation of \$2.2 billion.⁶⁴ The American airlift far outweighed Soviet efforts to re-supply Arab states for their losses. The oil ministers from nine Arab countries responded, deciding to employ the oil weapon in support of the Arab war effort.⁶⁵ This time the Shah's regime supported the embargo.⁶⁶ Using the September 1973 level of oil production as a base, the Arab producers announced a cut in production by a minimum of 5 per cent forthwith and thereafter by a similar percentage each month. There was to be a total embargo on oil sales to the United States, the Netherlands and initially Japan. Holland was included because its statements during the war had favoured Israel. The initial cut was raised in November to 25 per cent.⁶⁷ This policy only lasted until March 1974. In terms of its primary objective, it proved to be a blunt instrument, having little effect on either the war or American support for Israel. The principal outcomes were panic in the international oil market, and the assertion by OPEC member states of full national sovereignty over their natural resources, something they had been pursuing for over a decade.⁶⁸

The application of Arab power did, however, produce a commitment by the United States to engage fully and constructively in promoting a political process.⁶⁹ That outcome was obtained in the context of heightened tension between the two superpowers, fuelled by the war. Arab states might have anticipated that the war would lead to enhanced tension between the superpowers: the Soviet Union was as determined to protect its own interests through the agency of its Arab friends, as was America to protect its interests, including the security of Israel. The Arab actions of October 1973 did, however, contribute indirectly to the eventual reclamation by Egypt of

⁶⁴ Quandt, W.B. (2001 (rev. edit.)). *Peace Process: American diplomacy and the Arab-Israeli conflict since 1967*. Washington DC, Brookings Institution Press and University of California Press. p.116

⁶⁵ Seymour. *OPEC: instrument of change*, p.116. Iraq went along with the destination embargo against the United States and the Netherlands, but it did not support an across-the-board embargo as this would hurt potentially friendly countries in Europe, Japan and elsewhere. p.119

⁶⁶ Saikal (1980). *Rise and Fall of the Shah*, p.124

⁶⁷ Seymour. *OPEC: instrument of change*, p.117

⁶⁸ Hartshorn, J.E. (1993). *Oil Trade: politics and prospects*. Cambridge UK, Cambridge University Press. p.5

⁶⁹ Heikal. *Secret Channels*, citing a message to Sadat from President Nixon. p.206

territory in the Sinai Peninsula occupied by Israel in 1967, under the terms of a peace treaty concluded between the two sides in 1979. Sadat's launching of Egyptian forces across the Suez Canal was judged by Israeli analysts to have been extremely well planned and executed⁷⁰ and enhanced his image.⁷¹ Although the tide of battle had soon turned against Egypt, it did not severely impair his stature. His new standing gave him the confidence to break ranks with the Arab world and to visit Jerusalem in November 1977, opening the way to a peace treaty. Negotiations at Camp David in 1978 under Carter, which led to an Israeli-Egyptian peace treaty, also established certain principles that were to be carried forward to the Madrid conference of 1991. They will be addressed in chapter 3.

United States oil demand

The United States's demand for oil is expected to rise by almost a third from an annual average of 19.7 mbd in 2002 to over 26 mbd in 2020,⁷² and Middle East oil supply seems likely to become of increasing importance to America.

The oil weapon had a limited direct effect, and Arab oil producers are now constrained by the need for assured income to meet their economic and social development programmes. In the boom years of the 1970s and early 1980s, the Middle Eastern energy producers embarked upon ambitious programmes that required the transfer of advanced technology, including through a trained workforce, to install and maintain the fabric of their ventures. Decades of development have failed to produce either enough indigenous technicians or persons willing to commit themselves to certain categories of employment. In Kuwait, Qatar and the United Arab Emirates the population of immigrant workers exceeds that of the sons of the soil. Elsewhere the situation is complicated by population growth. Saudi Arabia's annual population growth rate of over 4 per cent led to a tripling of its 1975 population to 23 million by 2001.⁷³ Iran is not far behind with its 1975

⁷⁰ Tessler. *History of the Israeli-Palestinian Conflict*, p.479

⁷¹ Ibid. 478

⁷² Ibid. 478

⁷³ United Nations Development Programme (2003). *Human Development Report 2003*. New York NY, United Nations.

http://www.undp.org/hdr2003/indicator/cty_f_SAU.html - accessed 29 July 2003

population doubling to 67.2 million in 2001.⁷⁴ Data are not available for all Middle Eastern energy producers, but key suppliers all experienced negative GNP per capita annual growth rates over the period 1975-2001 despite handsome oil revenues: United Arab Emirates (-3.7 per cent), Saudi Arabia (-2.1 per cent), Kuwait (-0.7 per cent), and Iran (-0.6 per cent).⁷⁵

The US Energy Information Administration forecasts that America's dependence on petroleum imports could grow to 62 per cent by 2020. Over the next two decades, net imports of petroleum are expected to increase by more than 6 mbd, with imports of Gulf oil increasing by slightly over 2 mbd. In 2001 the Middle East accounted for approximately two-thirds of the world's proven oil reserves; 35 per cent of world oil production capacity; 30 per cent of world oil production; and about 83 per cent of excess world oil production capacity.⁷⁶ Data show that the countries of the Middle East possess 65.3 per cent of the world's proven oil reserves⁷⁷ and have an average reserve-to-production ratio in excess of 86 years, double that of the world average.⁷⁸ Middle Eastern oil also enjoys a comparative advantage with the lowest production costs in the world. The capital investment required to increase production capacity by 1 barrel per day by a Gulf producer is less than \$5,000, whereas it is considerably greater for OPEC producers outside the Gulf, exceeding \$10,000 in some member nations.⁷⁹

There have been reports of significant crude oil discoveries in the Caspian Sea basin. Because of the underdeveloped nature of the region's oil industry, the extent of the reserves has yet to be proven. Reported quantities of around 200 billion barrels would, if confirmed, be equivalent to the combined reserves of Kuwait and the United Arab Emirates, but less than the proven reserves of Saudi Arabia. The 200 billion barrel figure has been

⁷⁴ Ibid. pp.250-3 http://www.undp.org/hdr2003/pdf/hdr03_HDI.pdf - accessed 18 December 2003

⁷⁵ Ibid. pp.278-81

⁷⁶ Abraham. Testimony.

⁷⁷ British Petroleum (2002). BP Statistical Review of World Energy, June 2002. London UK, British Petroleum. p.5

http://www.bp.com/downloads/1087/statistical_review.pdf - accessed 3 October 2002

⁷⁸ Ibid. p.4. If the reserves remaining at the end of any year are divided by the production in that year, the reserve-to-production ratio is the length of time that those remaining reserves would last if production were to continue at that level.

⁷⁹ US Department of Energy (2000). *International Energy Outlook 2000*. Washington DC, US Department of Energy, Energy Information Administration.

described as 'the product of pure speculation, and geopolitical fanfare',⁸⁰ and global markets are unlikely to become dependent on Caspian oil in the foreseeable future.⁸¹ Proven reserves of the former Soviet Union (FSU) amount to 65.4 billion barrels, with a reserve-to-production ratio at the end of 2001 of only 21 years.⁸² The regional share of the states of the FSU in global crude oil production fell from 15 per cent in 1973 to 11.9 per cent in 2000.⁸³

Exploitation of Caspian Sea basin oil has raised questions about the transportation of crude oil to international markets. The most economic transportation arrangement would involve Iran. The Congress passed the Iran and Libya Sanctions Act in 1996 with the express aims of denying Iran the ability to support acts of international terrorism, and to fund the development and acquisition of WMD and the means to deliver them, by limiting the development of Iran's ability to explore for, extract, refine, or transport by pipeline its petroleum resources.⁸⁴ Clinton actively promoted an alternative routing for Caspian oil that bypassed Iran in favour of Turkey, an American ally and friend of Israel.⁸⁵

Despite a policy of diversification of supply, access to Middle Eastern oil seems likely in the longer-term to remain of vital importance to the United States, other industrialised states and the countries of the Third World.⁸⁶ Saudi Arabia has the world's largest proven petroleum reserves, a reserve-to-production ratio in excess of 85 years,⁸⁷ and one of the world's lowest costs of production at less than \$1.50 pb.⁸⁸ It has an ability quickly to vary production levels. These attributes enable it to exercise influence within OPEC on pricing

⁸⁰ Christian, A.M.A. (2001). Pipeline Politics: the geopolitical and geostrategic implications of exploitation and extraction of energy reserves from the littoral states of the Caspian Sea basin. Centre for Arab and Islamic Studies, The Faculties. Canberra ACT, The Australian National University. p.13

⁸¹ Olcott, M. B. (1998). "The Caspian's false promise." *Foreign Policy* Iss.111 Summer 1998 pp 94-113. She assesses that Caspian oil will account for less than 5 per cent of global oil consumption in 2010.

⁸² British Petroleum. BP Statistical Review, p.4

⁸³ International Energy Agency (2002). *Key World Energy Statistics from the IEA*. Paris, OECD. p.10 <http://www.iea.org> - 2 October 2002

⁸⁴ Clawson, P. (1997). *U.S. Sanctions on Iran*. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. p.20

⁸⁵ Mojtabeh-Zadeh, P. (2001). "Geopolitics and Reform under Khatami." *Global Dialogue* Vol.3 Nos. 2-3 (Summer 2001) pp.59-60

⁸⁶ Krapels. "The Commanding Heights", p.84

⁸⁷ British Petroleum. BP Statistical Review, p.4

⁸⁸ US Department of Energy (2000). *International Energy Outlook 2000*, p.33

and production levels through a general preparedness to raise or lower production in order to accommodate particular international or industry crises. As a friend of the United States, it has contributed to the ability of the United States and other industrialised countries to weather periodic variations in other producers' output levels.

Unless the world is able to hasten the development of other sources of relatively cheap energy, including petroleum, the United States will not be able in the longer-term to insulate itself from the growing dependence of world consumers on Middle East oil. That oil will come from a diminishing number of Gulf suppliers. They, in turn, may find it unattractive to moderate price as they wrestle with their own economic and social development needs. The assurance of Middle East oil supply at 'affordable' prices must remain a key objective of American foreign policy. It links the United States inexorably to countries that champion the cause of the Palestinians. They have declared their preparedness to accept Israel as a legitimate regional neighbour provided Israel will accommodate Palestinian demands for a viable sovereign state. They can be expected to importune the United States if it does not press Israel for movement on the Palestinian issue.

Non-proliferation of WMD and delivery systems

The United States has been concerned to halt the proliferation of WMD and their delivery systems, fearing that they could be used to breach its homeland security, or turned against American interests abroad, including the security of Israel. Iraq launched missiles against Israel during the 1991 Gulf War, but its development of a more accurate missile system was constrained by the UN Security Council after the war. Iran is developing a conventional missile system that would bring Israel within target range. Its nuclear power developments have raised the possibility that Iran could move at a later stage toward a nuclear weapon capability, although Iran has denied any such intention and has committed to opening its facilities to International Atomic Energy Agency (IAEA) inspection. A linkage to the Arab-Israeli dispute by a missile-capable state was made by Saddam Hussain, who appealed to pan-Arab sentiment in 1990 by pointing to the inconsistency between the United States's use of the Security Council to build an anti-Iraq coalition, and its

refusal to pressure Israel to withdraw from occupied territory demanded in Security Council resolutions. Iran is a committed supporter of Palestinian and Lebanese insurgent groups that have attacked Israel.

The vulnerability of the American homeland to attack by weapons of mass destruction – biological,⁸⁹ chemical⁹⁰ and nuclear – has been a consistent thread in commentary since the 1960s. Cordesman,⁹¹ and Kupperman and Smith,⁹² are among authors who have devised cataclysmic scenarios around the vulnerability of the American population to biological or chemical warfare, or terrorism. Also, concern over the spread of advanced military capabilities had begun to grow in Pentagon-affiliated think-tanks and the US intelligence community by the late 1980s.⁹³ By April 1990, the US Army Chief of Staff was alluding publicly to the growing power of Israel and several prominent Third World countries, including Egypt, India, Iran, Iraq, Libya, Pakistan, Syria and the two Koreas. Such states were said to have sought nuclear and/or chemical weapons.⁹⁴ From 1990 on, the general model of a 'rogue state' ruled by an 'outlaw regime' armed with chemical and nuclear weapons had become the standard currency of US national security discourse.

⁸⁹ United Nations (1969). *Report of the Secretary General on Chemical and Bacteriological (Biological) Weapons and the Effects of their Possible Use* (A/7575/Rev.1). United Nations NY. The report defines biological agents as 'living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the persons, animal or plant attacked'. p.5. Toxins are defined as chemical substances produced by biological systems, but which are not themselves living; Roberts, B. (1993). *New Challenges and New Policy Priorities for the 1990s. Biological Weapons: weapons of the future?* B. Roberts. Washington DC, Center for Strategic and International Studies. p.69

⁹⁰ United Nations (1969). *Report of the Secretary General on Chemical and Bacteriological (Biological) Weapons*, defines chemical agents of warfare as 'chemical substances, whether gaseous, liquid, or solid, which might be employed because of their direct toxic effects on man, animals and plants'. p.5. Chemical agents are usually described in terms of the physiological effects and are characterised as nerve agents, blister agents (vesicants), choking agents, blood agents, toxins, tear and harassing gases, and psycho-chemicals.

⁹¹ Cordesman, A.H. (1999). *Weapons of Mass Destruction in the Middle East: regional trends, national forces, warfighting capabilities, delivery options, and weapons effects*. Washington DC, Center for Strategic and International Studies. pp.88-90
<http://www.csis.org/mideast/reports/WMD.html> - accessed 5 July 2000

⁹² Kupperman, R.H. and D.M. Smith (1993). *Coping with Biological Terrorism. Biological Weapons: weapons of the future?* B. Roberts. Washington DC, Center for Strategic and International Studies. pp.41-3

⁹³ Klare, M. (1995). *Rogue States and Nuclear Outlaws: America's search for a new foreign policy*. New York NY, Hill and Wang. pp.19-21, citing US Commission on Integrated Long-Term Strategy: *Discriminate Deterrence and Future Security Environment*, and Center for Strategic and International Studies: *Meeting the Mavericks: Regional Challenges for the Next President*.

⁹⁴ Ibid. cited at p.24

Iraq, which was believed to be pursuing the clandestine production of WMD, and which had used chemical weaponry against its own population and Iran, became an outlaw when it invaded Kuwait and placed in jeopardy not just the assured supply of oil from Kuwait, but also that from the adjacent oil-producing region of Saudi Arabia.⁹⁵

A presidential statement of the UN Security Council on 31 January 1992 underlined the need for all member states of the UN 'to prevent the proliferation in all its aspects of all weapons of mass destruction...[which]...constitutes a threat to international peace and security. The members of the Council commit themselves to working to prevent the spread of technology related to the research for or production of such weapons and to take appropriate action to that end'.⁹⁶ The statement addressed nuclear proliferation, chemical weapons and conventional armaments. On nuclear proliferation, it noted the importance of the decision of many countries to adhere to the Nuclear Non-Proliferation Treaty (NPT) and emphasised 'the integral role in the implementation of that Treaty of fully effective IAEA safeguards, as well as the importance of effective export controls. The members of the Council will take appropriate measures in the case of any violations notified to them by the IAEA'. On chemical weapons the Council sought the conclusion, by the end of 1992, of 'a universal convention, including a verification regime, to prohibit chemical weapons'.

In 1994 President Clinton found that the proliferation of nuclear, biological, and chemical weapons and of the means of delivering them constituted an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. He ordered that the United States lead and seek multilaterally coordinated efforts with other countries to control the proliferation of WMD and the means of delivering them. He ordered also

⁹⁵ Bush, G.H.W. (1992). "The Need for an Active Foreign Policy, 11 March 1992." *US Department of State Dispatch* (16 March 1992) p.211. Bush said: 'I am absolutely certain in my mind that if we had not moved against Saddam, he would be in Saudi Arabia today'.

⁹⁶ United Nations (1992). *The Responsibility of the Security Council in the Maintenance of International Peace and Security* (S/23500). United Nations NY. This was the first meeting in the history of the United Nations to be convened at the level of Heads of State and Government. In accordance with the principle of rotation, the United Kingdom presided, in the person of Prime Minister John Major. President Bush participated. The meeting demonstrated the spirit of cooperation possible under the 'new world order'.

that national export controls be applied to items likely to contribute to the manufacture of such weaponry and delivery systems.⁹⁷

The United States has a number of concerns about WMD:

- some of the weapons are potentially very lethal and indiscriminate in their targeting;
- some WMD may be manufactured relatively easily and cheaply and are within the productive capability of many Third World countries, although they may find weaponisation of biological and chemical agents difficult. It was in October 1988 that the Speaker of the Iranian Majlis made his famous observation that '[c]hemical and biological weapons are poor man's atomic bombs and can easily be produced. We should at least consider them for our defence. . . Although the use of such weapons is inhuman, the [Iran-Iraq] war taught us that international laws are only drops of ink on paper'.⁹⁸ An asymmetric warfare capability is pursued by some countries 'as a viable means to counter overwhelming US conventional military superiority';⁹⁹
- long-range delivery systems are proliferating. Some 20 states have, or are developing, ballistic missile capabilities, and 77 have, or are developing, cruise missiles.¹⁰⁰ The Director of the US Central Intelligence Agency (CIA), George Tenet, testified in March 2000 that American military and civilian targets, already vulnerable to Russian and Chinese missile attack, could face ballistic missile threats from 'North Korea, probably Iran, and possibly Iraq... And while the missile arsenals of these countries will be fewer in number, constrained to smaller payloads, and less reliable than those of the Russians and

⁹⁷ Clinton, W.J. (1994). Executive Order 12938 - Proliferation of weapons of mass destruction, 14 November 1994.

⁹⁸ Spiers, E.M. (1994). *Chemical and Biological Weapons: a study of proliferation*. Basingstoke UK, Macmillan. Cited at p.174

⁹⁹ Tenet, G.J. (June 2000). "Weapons of Mass Destruction: a new dimension in U.S. Middle East policy." *Middle East Review of International Affairs* Vol.4 No.2, being an edited transcript of his testimony to the Senate Foreign Relations Committee on 21 March 2000. http://www/ciaonet.org/olj/meria/meria00_teg01.html - accessed 23 September 2002; Joseph, R.G. (1999). Nuclear, Biological and Chemical Deterrence and Defense. *Air/Missile Defense, Counterproliferation and Security Policy Planning: implications for collaboration between the United States and the Gulf Co-operation Council countries*. J.K. Davis, C.M. Perry and J.S. Al-Suwaidi. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. p.44

¹⁰⁰ Schneider, B.R. (1999). *Future War and Counterproliferation: U.S. military responses to NBC proliferation threats*. Westport CT, Praeger. p.200

Chinese, they will still pose a lethal and less predictable threat'.¹⁰¹ He added that the long-range missile threat should not overshadow the immediacy and seriousness of the threat the US forces, interests, and allies already face overseas from short and medium-range missiles, whose proliferation is significantly altering strategic balances in the Middle East and Asia; and

- some weapons could fall into the hands of terrorists. Tenet's testimony included an assertion that there are a number of non-state actors, such as terrorist groups, seeking to develop or acquire biological, chemical, nuclear or radiological weapons; and that there are fewer constraints on non-state actors than on state actors.¹⁰²

The proliferation of missiles capable of carrying conventional warheads or WMD has given impetus to the search for regulatory measures, including through non-proliferation regimes. Predating the Clinton presidency, but continued under his Administration, has been the promotion of normative regimes through the adoption of international instruments embracing nuclear, chemical and biological weaponry and associated missile delivery systems. They include the NPT which was concluded in July 1968 and came into force in March 1970. Its life was extended indefinitely in 1995; the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC), which was opened for signature in 1972 and entered into force in 1975; the Chemical Weapons Convention (CWC) of 1993; and the Comprehensive Test Ban Treaty (CTBT) which was concluded in 1996 but would not enter into force until it had been signed and ratified by all 44 nuclear-capable states, including the United States. The US Senate rejected the CTBT in 1999. The various instruments differ markedly, reflecting in part the particular characteristics of the various weapons. Their passage charts the evolutionary process of confidence-building between the two former superpowers, marking progress toward increasingly more rigorous and intrusive regimes of inspection and compliance verification. But their

¹⁰¹ Tenet. "Weapons of Mass Destruction"

¹⁰² Ibid.; Ikenberry (2002). "America's Imperial Ambition". He suggests that while states that develop WMD capabilities may be deterred from using them, they might pass them to terrorist networks that are not deterred.

memberships do not encompass all states presumed to have a production capability for the relevant type of weapon. The United States has sought to bring associated missile development under a Missile Technology Control Regime (MTCR).¹⁰³ Although membership of the regime is limited, it includes most states that possess the necessary technological base for missile production.

Despite its pursuit of global non-proliferation regimes, America has been unsuccessful in persuading Israel to become a party to the NPT, or unwilling to do so. In September 1992, the Arab League passed a resolution linking an Arab decision to accede to the CWC to Israeli steps toward membership in the NPT. Israel's refusal to sign the treaty became a sticking point with Egypt in the multilateral arms control negotiations under the Madrid conference process, preventing further progress within that group. Israel has never acknowledged that it is a nuclear-weapon state. It is said to have developed a nuclear stockpile of 60-80 plutonium weapons and that it is possible that it has a stockpile of up to 200-300 weapons.¹⁰⁴ The Director of the CIA indicated in May 1989 that Israel might be seeking to construct a thermonuclear weapon.¹⁰⁵ The United States protested Israeli nuclear activity during the presidency of John F. Kennedy in 1963, was sceptical about the explanation that it was for peaceful purposes, and demanded to inspect the facility at Dimona. The Americans were shown what has been described as dummy installations - denied by the Israelis - and found no evidence of a weapons programme.¹⁰⁶ They were unable to secure more than a promise from the Israelis that they would not be the first state in the Middle East to test a nuclear device; and Israel signed the CTBT in 1996. By the late 1970s Israel had become suspicious about Iraq's nuclear programme. It was concerned that Iraq's reactor would be capable of producing weapons-grade plutonium and

¹⁰³ Ozga, D.A. (1994). "A Chronology of the Missile Technology Control Regime." *The Nonproliferation Review* Vol.1 No.2 (Winter 1994) pp 66-93. The MTCR is an informal, non-treaty association of states that have an established policy or interest in limiting the spread of missiles and missile technology. By 1999, membership had grown from the original seven to 32. A state can adopt export controls based on MTCR guidelines and proclaim itself to be an adherent. The United States has in the past only recognised adherent status after a bilateral accord has been reached. Recognition of adherent status by the US government is particularly critical, as its sanction laws are triggered when non-MTCR participants transfer controlled goods to other non-participants.

¹⁰⁴ Cordesman (1999). *Weapons of Mass Destruction in the Middle East*, p.23

¹⁰⁵ Ibid. p.23

¹⁰⁶ Melman and Raviv. *Friends in Deed*, pp.102-4

urged France to lower the quality of the nuclear fuel to be delivered to it. Israeli agents destroyed material in France destined for the Iraqi reactor and assassinated Baghdad's senior scientist.¹⁰⁷ Then in 1981 Israel bombed the Osiraq reactor.

The US commitment to Israeli security requires it to address Israel's vulnerability to missile attack. Iraq demonstrated Israel's susceptibility in 1991 when its SCUD attacks affected most economic activity in that country.¹⁰⁸ UN Security Council Resolution 687 proscribed Iraq from possessing missiles with a range in excess of 150 kms, putting Israel out of range. Israel comes within the range of missiles in the possession of, or in development by, other Middle Eastern states; and possesses its own offensive Jericho III system with a range of 2,800 kms.¹⁰⁹ The 1991 war revealed deficiencies in America's Patriot antimissile system, and the United States has worked closely with Israel in the development of the Arrow missile defence system, providing \$628 million in grants for research and development since 1988. It has also provided assistance totalling \$192 million for two complementary projects.¹¹⁰ The partners' aim is to anticipate new developments in ballistic missile technology before such weapons are introduced into the Middle East, and to counter them through improved defence technology.¹¹¹

Iraq and Iran have been a particular worry to the Clinton Administration, which aspired to constrain them through a policy of 'dual

¹⁰⁷ Tessler, *History of the Israeli-Palestinian Conflict*, pp.544-5

¹⁰⁸ Tanks, D.R. (1999). Key proliferation trends and their likely impact on the balance of power in the Gulf: a focussed evaluation. *Air/Missile Defense, Counterproliferation and Security Policy Planning: implications for collaboration between the United States and the Gulf Co-operation Council Countries*. J.K. Davis, C.M. Perry and J.S. Al-Suwaidi. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. p.17

¹⁰⁹ Carus, W.S. (1998). Israeli Ballistic Missile Developments. *Report of the Commission to Assess the Ballistic Missile Threat to the United States*. Washington DC, U.S. Congress.

¹¹⁰ Mark (2002). *Israel: U.S. foreign assistance*, pp.7-8; Jewish Virtual Library (2000). *The Arrow Missile Program*. Chevy Chase MD, Jewish Virtual Library.

<http://www.us-israel.org/jsource/US-Israel/Arrow.html> - accessed 25 September 2002

¹¹¹ Morgan, T.O. (1999). The Potential Value of Missile Defense in the Gulf Context. *Air/Missile Defense, Counterproliferation, and Security Policy Planning: implications for collaboration between the United States and the Gulf Co-operation Council Countries*. J.K. Davis, C.M. Perry, and J.S. Al-Suwaidi. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. p.63. The Arrow is designed to intercept medium to short-range missiles at altitude and to destroy the warhead sooner and farther from Israeli territory, thus minimising fallout over Israel; Gordon, M.R. (2002). "Israel Set to Use New Missile Shield to Counter Scuds." *The New York Times on the Web*, 6 October 2002.

containment'.¹¹² UN sanctions assisted materially in hobbling Iraq for some years,¹¹³ but by 1998 Saddam Hussain's regime was no longer cooperating with the Special Commission (UNSCOM) set up by the UN Security Council to disarm his country, and differences had emerged among the Council's permanent members about its *modus operandi* and a continuing need for UNSCOM seven years after the Gulf War. The Commission was replaced in 1999 by another (UNMOVIC)¹¹⁴ that the Security Council hoped would be more amenable to the Iraqis. That agency, too, would be unable to complete its work before the United States led a 'coalition of the willing' into Iraq in 2003, ostensibly to destroy Iraq's WMD capability.

Iran has been able to secure nuclear and missile development materiel and/or assistance from a number of sources, including China, North Korea, Russia, and earlier Western Europe. The Clinton Administration tried to restrain suppliers by encouraging their adherence to non-proliferation regimes, and through bilateral measures. They were able to effect some changes among supplying states in favour of greater control over export of their technology. Although Iran acquiesced in IAEA nuclear inspections in 2003, the United States remains concerned about Iran's potential capabilities. The Administration sought to buttress its position in the Gulf after the 1991 war, building defence cooperation arrangements with the Gulf states. For some of them, however, Israel's missile and WMD capabilities provide as much, if not a greater rationale for defence collaboration among Gulf Cooperation Council members than the activities of their Gulf neighbours.¹¹⁵

¹¹² Christopher, W. (1995). "America's Leadership, America's Opportunity." *Foreign Policy* Iss.98 Spring 1995. He states that through the 'dual containment policy' the United States is 'helping to create the secure environment in which Arab-Israeli peacemaking can succeed'. p.21

¹¹³ Albright (2003). *Madam Secretary*. She records having been told by UN inspectors in late 1997 that they believed that Iraq's ability to produce weapons-grade uranium had been all but destroyed, which would severely limit its ability to build a nuclear bomb unless materials were procured abroad. p.278

¹¹⁴ The United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) was created by UN Security Council Resolution 1284 of 17 December 1999. UNMOVIC was to replace the former UN Special Commission (UNSCOM) and continue with the latter's mandate to disarm Iraq of its weapons of mass destruction (chemical, biological weapons and missiles with a range of more than 150 km), and to operate a system of ongoing monitoring and verification to check Iraq's compliance with its obligations not to acquire the same weapons prohibited to it by the Security Council.

¹¹⁵ Davis, J.K. and C.M. Perry (1999). Overview. *Air/Missile Defense, Counterproliferation and Security Policy Planning: implications for collaboration between the United States and*

Were Israel to harbour grave suspicions about Iran's nuclear and missile intentions comparable to those it held about the Osiraq reactor, it could conceivably launch a pre-emptive strike against Iranian installations. Iran's robust assistance to Lebanese Hezbollah¹¹⁶ and more limited help to the Palestinians is already a sensitive issue for Israel. Were a pre-emptive attack to occur, it could be presumed to impact directly on oil prices whether or not Gulf oil supply was affected.

The threat of the employment of WMD against Israel, or other American interests in the Middle East, may well be latent. The United States's predominance depends upon its maintaining a capacity to frustrate developments that it regards as inimical to its interests, or effectively to neutralise or counter them in the event of their employment. Its commitment to Israel's security has extended to ensuring Israel's military supremacy over its neighbours. The United States could not accept a shift in the strategic balance that would be presaged by the development and deployment of WMD by Arab and Muslim states within the region. If a settlement of the Arab-Israel dispute could be effected that legitimised Israel's place within the Middle East, the possibility of WMD being employed against that state would be largely eliminated.

Terrorism/insurgency

The link between insurgency and the Arab-Israel dispute is explicit. Palestinian extremists and Lebanese Hezbollah have been engaged in attacks on Israelis and their American supporters. Both Lebanese and Palestinian insurgents have received support from Iran since the Islamic revolution of 1979;¹¹⁷ and Syria is an important point on the supply route to Lebanon.¹¹⁸

the Gulf Co-operation Council Countries. J.K. Davis, C.M. Perry and J.S. Al-Suwaidi. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. pp.1-2

¹¹⁶ Deutch, J. (1997). "Terrorism." *Foreign Policy* Iss.108 Fall 1997 pp.10-22. He asserts that 'the most serious question regarding state-sponsored terrorism today is the degree to which Iran is sponsoring terrorism worldwide'.

¹¹⁷ US Department of State (2003). *Patterns of Global Terrorism 2002*. Washington DC, Department of State. p.77; Perl, Raphael. (2003). *Terrorism, the Future, and U.S. Foreign Policy*. Washington DC, Congressional Research Service, The Library of Congress. p.3; Christopher (1995). "America's Leadership", argues that 'Iran is the world's most significant state sponsor of terrorism, and the most ardent opponent of the Middle East peace process...Iran is...intent on projecting terror and extremism across the Middle East and beyond'. p.2

¹¹⁸ US Department of State (2003). *Patterns of Global Terrorism 2002*, p.81

Ten Palestinian groups are resident in Syria, but the Syrian regime has prevented them from engaging in direct cross-border incursions into Israel. The umbrella Palestine Liberation Organisation (PLO) was founded by Arab states in 1964 to represent the Palestinians. Arafat's Fatah movement embarked on armed struggle in 1965¹¹⁹ and took over the PLO in 1969.¹²⁰ Both the United States and Israel proscribed official dealings with the PLO until 1993.

The CIA director's fear that terrorists could employ WMD has not yet materialised.¹²¹ Terrorists have, however, been able to inflict considerable damage using conventional instruments through daring and sophisticated planning and the targeting of places of assembly. Globally, the number of people killed in international terrorist incidents rose from 163 in 1995,¹²² to 233 in 1999, and 405 in 2000,¹²³ peaking at 3,547 in 2001 in consequence of the events of 11 September.¹²⁴ As the casualty rate has risen, the number of terrorist attacks has fallen from 666 in 1987 to 348 in 2001.¹²⁵ Approximately 63 per cent of all terrorist incidents worldwide in 2001 were committed against American interests, compared to 23 per cent in 1995. Despite the enormity of the number of casualties from the September 2001 attacks on US soil, executed mainly by Arabs, almost 90 per cent of terrorist attacks against American interests that year occurred in Latin America: the Middle East ranked fourth in terms of the number of attacks upon American interests by region.¹²⁶ Historically there have been relatively few large-scale attacks causing 100 or more deaths. Of the twelve incidents during the twentieth

¹¹⁹ Walker, T. and A. Gowers (2003 (rev. edit.)). *Arafat: the biography*. London UK, Virgin Books. p.xii

¹²⁰ Ibid. p.x

¹²¹ Sprinzak, E. (1998). "The Great Superterrorism Scare." *Foreign Policy* Iss.112 Fall 1998. He gives examples of two American groups involved with WMD, including a conviction in 1995 of persons for possession of a biological agent for use as a weapon. pp.115, 118

¹²² Falkenrath, R.A. (1998). "Confronting Nuclear, Biological and Chemical Terrorism." *Survival* Vol.40 No.3 (Autumn 1998) p.56

¹²³ Katzman, K. (2002). *Terrorism: Near Eastern groups and State sponsors, 2002*. Washington DC, Congressional Research Service, The Library of Congress. p.2

¹²⁴ Perl. *Terrorism, the Future, and U.S. Foreign Policy*, p.3

¹²⁵ Pape, R.A. (2003). "Dying to Kill Us." *The New York Times*, 22 September 2003.

¹²⁶ Perl. *Terrorism, the Future, and U.S. Foreign Policy*, pp.2-3. American official targets in the Middle East during Clinton's presidency include the offices of the US Program Manager for Security Assistance with the Saudi Arabian National Guard in Riyadh (1995), the Khobar Towers housing complex for US Air Force personnel in Dhahran (1996), and USS *Cole* (2000).

century within that category, five involved the bombing of international aircraft, one the bombing of the US Marine barrack in Beirut in 1983, and one the singular bombing of the US federal building in Oklahoma City in 1995.¹²⁷

Insofar as the Arab-Israeli dispute is concerned, in just two years since the beginning of the so-called *al-Aqsa intifada* in September 2000 in the twilight of Clinton's term, there were 1,750 deaths and 20,255 injuries among Palestinians in the West Bank and Gaza and 613 deaths and 4,425 injuries to Israelis.¹²⁸ These figures contrast markedly with those of the 282 Israelis killed by the PLO in the thirteen years from 1968 to 1981.¹²⁹ The incidence of suicide attacks in Israel has risen, although globally this form of attack accounted for only 3 per cent of terrorist incidents from 1980 to 2001. The rate of such attacks has increased from 3 per year in the 1980s, to 10 per year in the 1990s, to more than 25 in both 2000 and 2001. Robert Pape has concluded that 'nearly all suicide terrorist campaigns have in common...a specific secular and strategic goal: to compel liberal democracies to withdraw military forces from territory that the terrorists consider to be their homeland'.¹³⁰

There is a discernible trend: contemporary terrorism is carried out primarily by loosely-organised, self- or mutually-financed networks with cross-national links.¹³¹ Religion is rarely the root cause of suicide attacks, although it assists in broadening the appeal of the organising agency and in recruitment.¹³² Terrorists have been able to demonstrate that, for all its power and resources, the United States has been unable effectively to protect its properties at home and abroad and the lives of its citizens, including those of its official agents. Some angry young Yemenis saw the USS *Cole* incident as

¹²⁷ Falkenrath (1998). "Confronting Nuclear, Biological and Chemical Terrorism", p.52. His data include only conventional terrorist attacks. They do not include large-scale massacres carried out by military or guerrilla groups using guns, machetes or other small arms; or acts by guerrilla groups animated by a particular ethnic hatred or extreme ideology, such as Bosnian Serbs, Algerian Islamic radicals, Rwandan militias and the Vietcong.

¹²⁸ The Electronic Intifada (2002). *Casualty Statistics: 29 September 2000*, 13 September 2002.

<http://electronicintifada.net/v2/casualtystats.shtml> - accessed 26 September 2002

¹²⁹ Herman, E.S. and G. O'Sullivan (1989). *The "Terrorism" Industry: the experts and institutions that shape our view of terror*. New York NY, Pantheon Books. p.30. The data is drawn from official Israeli police statistics.

¹³⁰ Pape. "Dying to Kill Us."

¹³¹ Perl. *Terrorism, the Future, and U.S. Foreign Policy*, Summary.

¹³² Pape. "Dying to Kill Us."

a metaphor for how their world - mostly poor, mostly Muslim, mostly resentful - can strike back at the Western power in whose shadow they live.¹³³ Terrorism is an expressive action,¹³⁴ possessing a 'spoiler' quality. Although employed for instrumental purposes, it is generally unable to effect a 'positive' outcome. Whether defined as terrorism, insurgency, or as a liberation struggle, the activity has spawned widespread revulsion at the killing of civilians, though not necessarily among those who have identified with the causes of the terrorists, and generated a stubborn refusal among those targeted to concede to the perpetrator.

Debate is entertained about the efficacy of terrorism in achieving political ends. Thomas Schelling wrote on the eve of the Madrid conference that 'terrorism has proved to be a remarkably ineffectual means of accomplishing anything'.¹³⁵ In relation to the Arab-Israel dispute, he argued that 'as a bargaining weapon terrorism was simply not up to the job'.¹³⁶ The Madrid negotiation was to prove him wrong. At its outset both Israel and the United States held that there should be no Palestinian state. By late 2000, Clinton was talking of Palestinian sovereignty, and within a couple of years both his successor and the Israeli government were committed to the realisation of an independent Palestine. This can be attributed principally to the greater understanding of the Palestinian cause gained during the course of the negotiation. Insurgency served to reinforce to the Clinton Administration the depth of the Palestinians' sense of humiliation and grievance, and to bring it to acknowledge that Israel could never hope to live in a terrorist-free environment while the Palestinians were a subjugated people. For so long as the Palestinians remained subject to Israel, they would command the support of others: Iran rejected the Oslo peace process and has provided material assistance to activist Palestinian elements; Syria provides a sanctuary; and Al-Qaeda lists the Palestinian cause among its anti-Western grievances.

¹³³ Burns, J.F. (2000). "Cole Struggles to Stay Afloat after a Bulkhead Collapses." *The New York Times on the Web*, 16 October 2000.

¹³⁴ See Ch.1, p.21

¹³⁵ Schelling, T.C. (1991). What purposes can 'international terrorism' serve? *Violence, terrorism and justice*. R.G. Frey and C.W. Morris. New York NY, Cambridge University Press. p.21

¹³⁶ Ibid. p.29

The United States is a member of all 12 multilateral conventions determining the responsibilities of states for combating terrorism. The instrument most recently adopted by the UN General Assembly, with United States support, is the International Convention for the Suppression of the Financing of Terrorism.¹³⁷ It adds to 11 other international conventions or protocols dealing with the proscription of terrorism in relation to a range of specific questions such as safety of civil aviation, maritime navigation and oil platforms. Prior to the adoption of the most recent convention, Clinton had issued an Executive Order¹³⁸ prohibiting transactions with terrorists who threaten to disrupt the Middle East peace process. It also targeted their financing.

America's attempts to restrain terrorism through international regimes have not been smooth. In 1972 the United States sought to persuade members of the UN to adopt a draft Convention for the Prevention and Punishment of Certain Acts of International Terrorism. Reflecting the prevailing mood of decolonisation and self-determination within the United Nations, Algeria argued that national liberation movements must have a free hand; 'that governmental actions cause death, so why should the international community single out acts of terrorists over any other political actor; that there can be no action taken against terrorism until the underlying causes of terrorism are eliminated; and that one cannot take action against terrorist groups without taking action against state terrorism'.¹³⁹ A resolution embodying the Algerian philosophy was adopted.¹⁴⁰ The United States and most of its allies voted against it on the ground that it failed to deal directly with the question of measures to prevent international terrorism.¹⁴¹

¹³⁷ United Nations (1999). UN General Assembly Resolution 54/109, adopted on 9 December 1999. The United States signed the treaty during the Clinton Administration, and it was ratified on 25 June 2002 under the Administration of his successor.

¹³⁸ Clinton, W.J. (1995). Executive Order 12947 - Prohibiting transactions with terrorists who threaten to disrupt the Middle East peace process, 24 January 1995. Washington DC, The White House.

¹³⁹ Celmer, M.A. (1987). *Terrorism, U.S. Strategy, and Reagan Policies*. London UK, Mansell Publishing. p.97

¹⁴⁰ United Nations (1972). UN General Assembly Resolution 3034 (XXVII), adopted 76 (for) - 35 (against) - 17 (abstain) on 18 December 1972

¹⁴¹ Celmer. *Terrorism, U.S. Strategy, and Reagan Policies*; Levitt, G.M. (1988). *Democracies Against Terror: the Western response to state-supported terrorism*. New York NY, Praeger pp.97-8

American counterterrorism policy includes isolating and applying pressure on states that sponsor terrorism to force them to change their behaviour, and bolstering the counterterrorism capabilities of those countries that work with the United States and require assistance. Practical measures involve bilateral intelligence exchanges; and the United States has been able to co-opt the assistance of 166 countries in freezing more than \$121 million in terrorist-related financial assets.¹⁴² Extradition arrangements to bring terrorists to trial under the American justice system are more problematic as some states refuse to extradite for political or extraterritorial offences, or to extradite their nationals.¹⁴³

A balance of US interests in the Middle East

The previous chapter examined Clinton's global vision and discussed the contribution that a settlement of the Arab-Israel dispute might make to its realisation. It concluded that notwithstanding the difficulty of identifying any such settlement as contributing to the vision's realisation, pursuit of a settlement grew to become a matter of considerable personal importance to the president and a subject to which the Administration applied energy and resources without apparent detriment to the prosecution of other American objectives. The following paragraphs will establish why the United States should have believed it to be in its interest to engage in prosecuting a settlement. This is a necessary precursor to discussion later in the thesis about how the first President Bush engaged the United States in bringing the parties principal into negotiation, and how Clinton used the power of the United States to try to effect a resolution of the dispute.

Attention has been drawn to the United States's deep attachment to Israel and commitment to Israel's security. In addition, three significant factors – oil, WMD and terrorism – have been identified and shown to be capable of being manipulated in varying degrees by Arab and Muslim states to impress upon the United States the need for a resolution of the Arab-Israel

¹⁴² US Department of State (2003). *Patterns of Global Terrorism 2002*, p.v

¹⁴³ Christopher (1995). "America's Leadership." He wrote: 'We make no concessions to terrorists; we galvanize international pressure against states that sponsor them; and we bring terrorists to justice. To help achieve those goals, the United States is sharing intelligence and coordinating antiterrorist efforts with friends and allies'. p.26; Perl. *Terrorism, the Future, and U.S. Foreign Policy*, p.12

dispute that takes account of Palestinian aspirations. An American national interest has been to assure supply of crude oil from the Middle East at 'affordable' prices. That interest has both domestic and international connotations. Clinton intervened to urge an increase in supply from OPEC member states when prices rose above a band that he believed reasonable. The United States has been concerned about the potential for proliferation of WMD, including within the Middle East, and the possibility that terrorists might acquire such weaponry to target American interests. Chemical agents were used by Iraq against Iran; and SCUD missiles launched by that country against Israel. There was concern that Iraq might use chemical weapons against American troops in the 1991 Gulf War, and among governmental advisers that Iraq might develop a missile system capable of delivering a chemical warhead. The Clinton Administration sought to restrain the development and use of WMD, and associated delivery systems, in the country's national interest. American property and personnel in the Middle East have been casualties of terrorism, as has Israel. Clinton proscribed financial assistance to terrorist organisations; and the United States has been an active participant in international measures to stamp out terrorism, much of which has been undertaken by Middle Eastern actors. The conquest of terrorism remains a national interest of the United States.

A capability by foreign actors to deploy these instruments in ways detrimental to America's perceived national interests, including in some cases an ability to jeopardise Israel's security, does not translate into a continuing commitment to do so. The ability of Arab oil producers to direct their 'weapon' specifically against the United States is tempered by the nature of the international oil market and their own developmental requirements. Oil producers are sensitive to the needs of both industrialised and developing nations and are unlikely to act precipitately. Any disruption in Gulf oil supply would be for its shock value rather than to cause longer-term damage to the US and global economy. Although Iraq has demonstrated an ability to deploy chemical weapons, and to strike into Israel, UN Security Council resolutions crafted by Americans have effectively restrained it. American resolve would be apparent to Iran, too, were it to develop and consider deploying an offensive missile capability. Terrorist attacks have been launched against American and

Israeli interests with telling damage, but have not persuaded the government of either country to treat with terrorists or to entertain the terrorists' agendas. To the contrary, the countries' anti-terrorist resolve has been stiffened.

Those in a position to employ the 'oil weapon' and terrorism, and possibly to develop a capability to attack Israel by a missile carrying a chemical warhead, have sought to pressure the United States to urge Israel to offer some redress of Palestinian grievances. The 'levers' rest in differing hands and have not been used in concert. There was no reason for the Bush Administration to believe either that collusion was sought among those capable of exercising the instruments, or that it would be achieved. Of the three, chemical warfare was feared while terrorism was the tool most frequently employed. Terrorism has usually been carried out by non-state actors, and pursued for a variety of purposes, thus blunting its message. Historically, the United States has been generally successful in compartmentalising its inter-state interests, maintaining good relations with Gulf oil producers despite its strategic partnership with Israel. This has been possible because various Arab states have decided to give precedence to continuing engagement with the United States from among their array of conflicting interests. There was nothing to suggest to the Bush Administration in 1991 that America's continuing ability to address any of its three regional interests discretely would be impaired.

Arab actors have targeted Israel over its policies toward the Palestinians, using the 'oil weapon', missiles and terrorism. Arab states rejected the creation of a Jewish state in the Middle East when the matter came before the UN in 1947. Its presence and policies have provided a focal point among Arabs and Muslims sympathetic to the grievances of dispossessed and humiliated Palestinians. With the exception of Egypt, and later Jordan, Middle Eastern states have continued to deny legitimacy to the State of Israel. American Administrations have, over many years, tried to encourage regional states to reconcile themselves to Israel's existence. Recognition of Israel's sovereignty would confer legitimacy upon the Jewish state, and open the way for it to embark upon the building of friendly relations with its neighbours and participation in regional developments. Differences between Arab states and Israel might remain, or arise, but these could be addressed through customary

diplomatic procedures. If Israel's regional legitimacy were ever to be achieved, it could only be through a process of negotiation with its neighbours. Bush recognised that Arab and Muslim states could only be enticed into negotiation if they were confident that the negotiation sought to resolve the conflicting claims of Israelis and Palestinians to territory under terms satisfactory to both parties. The United States thus had a particular interest in encouraging a negotiation that addressed the genuine concerns of both Israelis and Palestinians.

The background to the Bush Administration's decision to become engaged in this matter is discussed in chapter 3. Suffice it to note at this stage that the decision was taken in the context of the proclaimed 'new world order'. Cooperation among the great powers would replace confrontation with the former Soviet Union, and extend also to lesser states previously reliant on Soviet protection. The alliances forged by the United States within the compass of the United Nations to condemn Iraq's invasion of Kuwait in 1990, and the war of the following year to evict Iraq, gave expression to the concept of American leadership in a unipolar world and provided tangible evidence of the benefit of the new and pervading spirit of international cooperation. The willingness of states to coalesce around America in that Middle Eastern venture was not achieved without some mutual obligation: the Administration undertook to address the wider regional concerns of the Arab states after the Kuwait crisis had been resolved.¹⁴⁴

If United States hegemony were to have currency, America would have to continue to manifest its professed desire to be engaged. In addition to producing a 'public good', such as the eviction of the Iraqi aggressor from Kuwait, it would be expected to honour international commitments. It might not always be successful in producing a desired 'good' because of the intransigence of other actors or the intrusion of external issues, but the normative expectation would remain.

Bush's decision to launch an America-led initiative in search of a settlement of the Arab-Israel dispute, and Clinton's persistence in sustaining it, go deeper than being seen to honour a commitment. They suggest a genuine

¹⁴⁴ Baker (1995). *The Politics of Diplomacy*, p.414

interest in advancing the United States's claim to global leadership by demonstrating that its power could be employed in the production of a 'public good', and a desire to take advantage of the prevailing generally positive international attitude toward the United States. A resolution of the Arab-Israel dispute - if it could be achieved - could be expected to bring a greater measure of stability to the region than had existed for half a century. It would remove the most emotional issue from the Middle Eastern agenda by addressing the territorial concerns of Israel, some of its neighbours, and the Palestinians; by facilitating an accommodation between Israelis and Palestinians on a range of matters of contention; and by legitimising Israel as a regional actor. To the Bush Administration the circumstances for achieving this result seemed propitious in 1991, and the argument for United States intervention compelling.

Conclusion

The United States's support for the existence of the State of Israel has been translated into a guarantee of its security. The Congress has provided for this purpose ever since the Nixon presidency, equipping Israel's defence force at a level sufficient to ensure that it is greater than the combined military strength of its neighbours. That support has been constant, even in the face of challenges to other important American interests in the Middle East.

The specific American interests addressed in this chapter have dimensions that extend beyond the region. Crude oil is produced elsewhere, and the United States has been successful in reducing its dependence on Gulf oil supply in the short to medium-term. Weapons of mass destruction are in the armouries of Third World countries in other regions. India and Pakistan have tested nuclear devices, and North Korea's nuclear programme has worried the Clinton Administration and its successor. Terrorism against American citizens and property is greater in Latin America than in the Middle East, although the number of Arab-inspired and executed anti-American incidents has shown an increase. American Administrations have addressed the issues of oil supply and pricing, non-proliferation of WMD and their delivery systems, and terrorism in their global context. What gives them a particular resonance in the Middle East is that each of these issues has been

brought to bear against Israel, engaging the United States because of its commitment to Israel's security.

Linkages exist among the issues themselves. Iran's oil revenues enable it to undertake nuclear development, ostensibly for peaceful purposes; to develop missile technology; and to provide support in differing measure to Lebanese and Palestinian insurgents. Iraq has been able to mount military campaigns against Iran and Kuwait, disrupting Gulf oil supply; to target Iran with WMD; and to attack Israel by missile. The Gulf oil producers were able to restrict production, causing panic within industrialised countries and distress to Third World importers. Oil market volatility, exacerbated by the Iran-Iraq War and later the Gulf War of 1991, resulted in competition among Gulf oil producers. Because these issues affect specific American interests, successive Administrations have been drawn into them. The United States provided intelligence assistance and materiel supplies to Iraq during the Iran-Iraq War, and led campaigns against Iraq in 1991 and 2003. The Clinton Administration sought to constrain the ability of Iran and Iraq to threaten their neighbours, and to destabilise the Middle East, through a policy of 'dual containment'. It encouraged Saudi Arabia to exercise its considerable influence among oil producers to assure supply and to keep prices within an 'affordable' band width.

The salience of three of the American concerns discussed in this chapter is that each has been employed in support of the Palestinian cause, although the professed support of Arab and Muslim states for the Palestinians has not always been matched by their contributions. Gulf oil producers tried twice to employ the 'oil weapon' to encourage the United States to pressure Israel into withdrawing from occupied territories; Iran has supported terrorist actions opposed to Israel's occupation of Lebanese and Palestinian soil and seems intent on acquiring a missile capability that would put Israel within its range; and Iraq appealed to pan-Arabian sentiment in favour of the Palestinians in 1990, and followed it up with missile attacks upon Israel. The relevance of the Palestinian cause was implicitly acknowledged by President Bush when he told Syria's President Hafez al-Assad in November 1990 that he would address the wider issues of the Middle East after the Iraq-Kuwait crisis had been resolved. It was clear to his Administration that, if Israel's security

were to be assured, Israel's place within a Middle Eastern community would need to be legitimised. That would not happen so long as the Palestinian cause provided an anti-Israel rallying point. Removal of that issue would not resolve all the tensions among regional states, or between them and the United States, but it would defuse the most probable incendiary issue at the heart of the Arab-Israel dispute and could lead to Israel's acceptance as a regional player.

Although a convincing argument could be made in favour of the United States demonstrating leadership and honouring its commitment, there could be no guarantee that it could deliver on it. Much would depend upon the dynamics of the diplomatic process, if it could be successfully launched. America's preliminary objective was to get the parties principal into negotiation with one another. The next chapter will address this. Were the negotiation to fail and the United States to be unsuccessful in attaining its overall objective, the Middle East would remain in an unsettled condition. America would have to live with the attendant uncertainties of the region in the future, as it has had to do in the past. Although not America's desired outcome, it could be tolerated. Failure to achieve a comprehensive settlement would not necessarily be attributed by others to the intransigence of the principal parties. Some may choose to interpret it as due to either some lack of resolve on the part of the American Administration or some deficiency in its diplomacy. America's broader interest in engaging with and leading the international community toward a realisation of its global vision required that the Arab-Israel dispute be addressed conscientiously and pursued with vigour.

Chapter 3

Failures and success: the road to Madrid

The Americans found the argument for a settlement of the Arab-Israel dispute compelling. The Bush Administration having decided in 1989, and again two years later, to pursue its resolution by peaceful means, the United States employed various instruments of statecraft to persuade the parties principal to participate in an international conference at Madrid in October 1991. The Arabs' agreement to negotiate with Israel marked a significant reversal of a long-held position.

Failures – the background

President Bush decided in early 1989 to explore a common basis on which Israel and the Palestinians could engage because geopolitical circumstances in the Middle East were changing markedly.¹ By the end of 1988 superpower competition was in decline, the Palestine Liberation Organisation (PLO) had conceded to the United States on matters of principle, and Israel was under pressure from primarily domestic, not external, forces. In the absence of a settlement of the Arab-Israel dispute, the possibility of Arab states once again aligning against Israel on some pretext could not be ruled out, in which case the United States would be obliged to juggle support for Israel and the protection of its other regional interests. The moment seemed opportune.

Negotiations for a peaceful resolution of aspects of the Arab-Israel dispute had been pursued by American Administrations for many years. They were initially rooted in the diplomacy of ceasefire arrangements following the 1967 and 1973 Arab-Israel wars. The need for a resolution of the dispute had gained significance due to Cold War superpower rivalry: the two superpowers vied for support within the Arab world, while the United States also supported Israel.

A rehearsal of the history of the various American attempts to broker a settlement of the Arab-Israel dispute is unnecessary for the purposes of this study. It is sufficient to record some of the perceptions held by prospective

¹ Baker (1995). *The Politics of Diplomacy*, p.118

participants in any negotiation, including those of the Bush Administration. The parties' perceptions affected their attitudes to the Administration's initiative to get them to the negotiation table in 1991.

A view to which Israel's Prime Minister Yitzhak Shamir was committed derived from the position taken by a predecessor from his own Likud Party, Menachem Begin, when negotiating the Camp David accords in 1978. President Jimmy Carter, and Egypt's President Anwar Sadat, saw that agreement as a step in the direction of a comprehensive peace between Israel and her neighbours. Begin, took the view that in return for relinquishing the Sinai Peninsula to Egypt he had secured Israel's right to retain the West Bank, and Shamir held to that position. In Shlaim's view, 'Carter's inability to induce the Begin government to honour its commitment to seek a solution to the Palestinian problem discredited the Camp David Accords in the eyes of many Arabs, isolated Egypt, and undermined America's credibility as a peacemaker'.²

From the United States's perspective, important determinants were carried forward from the presidency of Ronald Reagan. He advanced the proposition of self-government for the Palestinians of the West Bank and Gaza 'in association with Jordan'.³ Drawing upon the Camp David accords, he advocated a transitional period 'to prove to the Palestinians that they can run their own affairs and that such Palestinian autonomy poses no threat to Israel's security'.⁴ His proposal contained three important qualifications: the United States would not support the use of any additional land for the purpose of settlements during the transitional period; peace could not be achieved by the formation of an independent Palestinian state; and Jerusalem would remain undivided, but its final status should be decided through negotiations. Fundamental to the American position was UN Security Council Resolution 242, adopted after the war of June 1967 and setting the parameters for 'a just and lasting peace in the Middle East'.⁵ The key principles of such a peace included the withdrawal of Israeli forces 'from territories occupied in the recent conflict' and the right of every state in the area 'to live within secure and

² Shlaim, A. (1988). "The Impact of U.S. Policy in the Middle East." *Journal of Palestine Studies* Vol.XVII No.2 (Winter 1988) p.20

³ Reagan, R. (1982). "The Reagan Plan - 1 September 1982." *The Middle East and North Africa 1999*. London UK, Europa Publications Limited p.124

⁴ Ibid. p.124

⁵ United Nations (1967). UN Security Council Resolution 242

recognised boundaries free from threats of force'.⁶ The Americans held that the resolution's terms applied to the West Bank and Gaza, a view clearly at odds with the policy of Israel's Likud Party. The Arab response to the Reagan plan was more receptive,⁷ but the plan became a casualty of confusion and contradiction within the Reagan Administration on policy questions relating to Lebanon and Syria occasioned by Israel's invasion of Lebanon in 1982. The president adjudicated among his advisers in favour of the alliance with Israel, resulting in serious damage to America's broader interests in limiting the influence of the Soviet Union and its allies and in expanding its own cooperation with moderate Arab states.⁸

The first Palestinian uprising, or *intifada*, broke out in December 1987. By the following month Israelis were acknowledging that they had an unprecedented situation on their hands. Their heavy-handed response, seen by American viewers on television, contributed to a decline in public support for Israel,⁹ including within America's normally pro-Israel Jewish community.¹⁰ International coverage of the *intifada* gave impetus to the suggestion of a peace conference under the auspices of the United Nations. The notion was endorsed in principle by Jordan's King Hussein and Israel's foreign minister, Shimon Peres. The United States was loathe to see an intrusion by the United Nations where its ability to influence outcomes would be constrained, and responded in 1988 with another initiative. The new plan by Secretary of State George Shultz was less overtly prescriptive about the possible final outcome than Reagan's. It sought to imbue a negotiation with a sense of commitment and urgency by introducing timeframes within which various stages of the process were to be completed, telescoping those set out in the Camp David accords.¹¹ Negotiation on transitional autonomy arrangements for the West Bank and Gaza was to be completed within six months and would last three years. Seven months after the transitional negotiation had begun, final status negotiation would begin with the

⁶ Ibid. Operative para. 1(i) and (ii).

⁷ Quandt (2001). *Peace Process*, p.255

⁸ Shlaim (1988). "The Impact of U.S. Policy", p.23

⁹ D'Amato, J. V. (1991). "How Regimes Profit by Curbing U.S. Television News." *Orbis* Vol.35 No.3 (Summer 1991) p.356

¹⁰ Quandt (2001). *Peace Process*, p.274

¹¹ Europa Publications (1978). "The Framework for Peace in the Middle East, Camp David - 17 September 1978." *The Middle East and North Africa 1999*. London UK, Europa Publications Limited. See Section A1(A) and (C) pp.119-20

objective of completing it within one year. Palestinian representation would be within a Jordanian-Palestinian delegation, confirming America's predilection for some form of Palestinian association with Jordan. An international conference would be held before the commencement of the bilateral negotiations at which all parties would be required to accept UN Security Council Resolutions 242 and 338,¹² and to renounce violence and terrorism.¹³ The negotiating parties might, by agreement, report to the international conference on progress, but the conference would have no power to impose its views or to veto the results of the negotiation.¹⁴ Shultz's plan, too, ran aground. Shamir did not support an international conference, and he rejected the secretary of state's foreshortening of the Camp David process. The Palestinians, though happy that the *intifada* should have sparked an American initiative, were unhappy with their proposed 'associate' status within the Jordanian delegation. The whole proposition foundered on 31 July 1988 when King Hussein formally relinquished all Jordanian legal and administrative ties to the West Bank, stating that henceforth the PLO would be responsible for the Palestinians living there. In handing over the Palestine question to the PLO, the king shattered the Israeli Labor Party's long-held belief that the West Bank's future lay with Hashemite rather than PLO rule, thus avoiding the creation of an unstable third state between Israel and Jordan.¹⁵

These developments had proceeded concurrently with an evolution in Palestinian thinking and influenced the PLO's attitude toward negotiated settlement with Israel. UN Security Council Resolution 242 defined the Palestinians as refugees, a characterisation that the Palestine National Council had been determined to broaden in a revision of the Palestine National Charter adopted in July 1968. It emphasised the right of the Palestinian people to self-determination and sovereignty over their homeland. In November 1981 an Arab Summit in effect endorsed a proposition for an Arab state alongside a Jewish

¹² United Nations (1973). UN Security Council Resolution 338. The resolution was adopted in the context of the October 1973 war. It calls for 'all parties concerned to start immediately after [a] ceasefire the implementation of Security Council Resolution 242 (1967) in all of its parts'.

¹³ Shultz, G.P. (1988). "The Shultz Plan - February 1988." *The Middle East and North Africa 1999*. London UK, Europa Publications Limited. p.125

¹⁴ Quandt (2001). *Peace Process*, p.275

¹⁵ Morris, B. (2001). *Righteous Victims: a history of the Zionist-Arab conflict, 1881-2001*. New York NY, Vintage Books. p.605

one in the former territory of Palestine.¹⁶ The Arab states had rejected a two-state solution when the UN partition plan was adopted under General Assembly Resolution 181 in 1947,¹⁷ but the idea had been implicitly broached at a meeting of the Palestine National Council in 1974.¹⁸ The question of which Arab state or body should become heir to any occupied territory to be vacated by Israel was addressed in a declaration by the heads of Arab states in 1984. Their conference formally acknowledged the right of the Palestinian people to a separate homeland, but without specifying that its territory was restricted to the West Bank; and it recognised the Palestine Liberation Organisation as the 'sole legitimate representative of the Palestinian people'.¹⁹ Kissinger informed Israel that the United States would not recognise or negotiate with the PLO unless and until the PLO recognised Israel and accepted UN Security Council Resolutions 242 and 338. The US Congress codified the pledge into law, and added that the PLO must also renounce terrorism.²⁰

A confluence of events in 1988 saw a further transformation of the PLO's position. The *intifada* had brought the Palestinian cause to a wider audience and the Palestinian leadership was anxious to capitalise on the sympathy generated. It was concerned, however, that the uprising was indigenous to the West Bank and Gaza and that it threatened a divergence between the Tunis-based leadership and the Palestinians living in the territories, exacerbated by the impact that radical Islam was beginning to have on Palestinian nationalism under the *intifada*. Within Israel, opinion was divided

¹⁶ Crown Prince Fahd (1981). "The Fahd Plan - August 1981." *The Middle East and North Africa 1999* London UK, Europa Publications Limited p.124

¹⁷ United Nations (1947). UN General Assembly Resolution 181 (II) was adopted on 29 November 1947 by 33 (for) – 13 (against, including all states with significant Muslim populations) – 10 (abstentions).

¹⁸ Muslih, M. (1990). "Towards Coexistence: an analysis of the resolutions of the Palestine National Council." *Journal of Palestine Studies* Vol.XIX No.4 (Summer 1990). pp.3-29

¹⁹ The PLO had required a statement from the conference that any Palestinian territory liberated by Arab forces would be turned over to the 'Palestinian people' as represented by the PLO. Jordan protested, pointing out that recognition on these terms would give the PLO sovereignty over half of the population in the East Bank and that in fact the annexation of the West Bank by Jordan had been approved by popular vote. A compromise solution was adopted that nonetheless favoured PLO interests. The Arab heads of state also called for close cooperation between the front-line states and the PLO but prohibited interference by other Arab states in Palestinian affairs. Jordan's King Hussein opposed the declaration, although he eventually signed it under intense Arab pressure and after the Arab oil-producing states promised to provide Jordan with an annual subsidy of \$US 300 million.

²⁰ Mark, C.R. (2003). *Palestinians and the Middle East Peace: issues for the United States*. Washington DC, Congressional Research Service, The Library of Congress. p.2

on whether to pursue repressive measures or a political solution. There was a growing realisation among Israelis that the *intifada* demonstrated the 'high price to be paid for retention of the West Bank and Gaza, not only in terms of hostility from the Arab world but also in the form of a threat to Israel's Jewish and democratic character, and possibly to its military security as well'.²¹ The Labor Party, which demanded compromise, threatened to quit the coalition government in the light of conservative support for the status quo. Elections were held in both Israel and the United States that year; and informal explorations were in train between the outgoing Reagan Administration and the PLO over the terms under which the United States could commence negotiation with that organisation. George Bush, Reagan's Vice-President and the President-elect, was eager that the matter be resolved before Reagan left office.²² Shultz conveyed through a Swedish intermediary the points that would need to be endorsed by the PLO Executive Committee and expressed publicly by Arafat before an American Administration would enter into substantive discussions with the PLO. Particular sticking points for the Americans were that the PLO renounce terrorism, and that while the Palestinians had the right to pursue an independent state through negotiation this did not amount to acceptance of a Palestinian right of self-determination.²³ After some prevarication Arafat stated publicly in December 1988 'the right of all parties concerned in the Middle East conflict to exist in peace and security...including the state of Palestine, Israel, and other neighbours according to the resolution 242 and 338 [*sic*]...[and]...that we totally and absolutely renounce all forms of terrorism, including individual, group, and state terrorism'.²⁴ America's authority effected the desired outcome because the PLO recognised that progress toward attainment of the Palestinian objective could not occur without United States intervention. They also assessed that Shultz's proposals, while not an identical match with their own, were not inimical to their position.

²¹ Tessler. *History of the Israeli-Palestinian Conflict*, pp.726-7

²² Quandt (2001). *Peace Process*, p.281

²³ Ibid. pp.277-85

²⁴ Ibid. pp.284-5; Abbas, M. (1995). *Through Secret Channels: the road to Oslo*. Reading UK, Garnet Publishing Limited. A Palestinian account of these developments may be found at pp.27-35

It was against this background and an appreciation of the key players' perceptions that Bush decided to explore the prospect of negotiation between Israelis and Palestinians. His secretary of state, James Baker, chose to start by inviting the Likud-led coalition government of Yitzhak Shamir to offer a plan. After the failure of so many American initiatives it may have seemed worthwhile to begin anew with ideas from one of the key actors. Given Likud's aspiration for the realisation of *Eretz Israel*, however, it was an unlikely place to have begun an exploration, and put the Administration at a disadvantage when at a later stage it sought Israel's commitment to an amended formula. Baker was influenced by a desire to establish a good rapport with the notoriously truculent Shamir at their first meeting. Shamir submitted four points: the need for negotiations with Arab states to conclude peace treaties; the importance of settling the refugee problem; the necessity for the Camp David partners to renew their commitment to the agreements and to peace; and a requirement that elections be held in the West Bank and Gaza to select non-PLO Palestinians with whom Israel would then negotiate an interim agreement on self-government, according to the Camp David formula.²⁵ Baker has described the four points as 'weak' and 'difficult to sell to the Arabs', but as something which, after some diplomatic sleight of hand, he believed he could challenge the Palestinians to respond to with 'equal flexibility'.²⁶ It was hardly an auspicious beginning by the new Administration.

Baker then elicited a proposal from the Egyptians, which he understood to have benefited from considerable private input from Israelis and members of the PLO.²⁷ The Americans boiled down the two sets of proposals to five points that they claimed met Shamir's concerns and protected Israel,²⁸ including: that a meeting would be convened in Cairo only after Israel had approved a list of non-PLO Palestinians with whom they could treat; that all sides would agree to accept Shamir's plan as the basis for negotiations; and that the Palestinians would be free to raise their own ideas about elections and the negotiation process. As Shamir stalled, Bush reminded him that he was equivocating on his

²⁵ Quandt (2001). *Peace Process*, pp.296, 453(n12). There must be some doubt whether Shamir's plan was a genuine contribution toward peace. He let slip at the time that it was merely 'an idle fancy'. See Morris (2001). *Righteous Victims*, p.609

²⁶ Baker (1995). *The Politics of Diplomacy*, p.120

²⁷ Ibid. p.124

²⁸ Ibid. p.125

own suggestions, notwithstanding that they had been modified by the Americans. During the down time the situation became clouded by the building of Israeli settlements in the West Bank.

Many states contend that Israeli settlement in the occupied territories and deportation of Palestinians from occupied territories are illegal under international law, specifically the sixth paragraph of Art.49 of the Fourth Geneva Convention on the Protection of Civilian Persons in Time of War, which states: 'The occupying power shall not deport or transfer parts of its own civilian population into territories it occupies'.²⁹ Israel became a party to the treaty in 1949. The illegality of Israeli settlements has been affirmed in resolutions of the UN Security Council and General Assembly, according the proposition substantive status in international law. Some American spokesmen have stated formally a United States view that the settlements are illegal.³⁰ The State Department's legal adviser provided an opinion to the Congress in 1978 which concluded that Israel's establishment of 'civilian settlements in those [occupied] territories is inconsistent with international law'.³¹ American Administrations held to this view until the early 1980s when President Reagan declared that settlements were not 'illegal'. All subsequent Administrations have opposed settlements as an obstacle to peace.³² The Israelis deny the central proposition that the territories are occupied. They maintain that Jordan's annexation of the West Bank in 1950 was not recognised by the international community and was therefore illegal, and that Egypt never claimed the Gaza Strip. Moreover, Jordan had relinquished its claim to the West Bank in 1988. Israel argues that the two territories thereby rightfully

²⁹ Government of Switzerland (1949). *Convention (IV) Relative to the Protection of Civilian Persons in Time of War*, 12 August 1949. Chevy Chase MD, Jewish Virtual Library http://www.us-israel.org/jsource/History/Human_Rights/geneva1.html - accessed 19 November 2002

³⁰ Mark (2003). *Palestinians and Middle East Peace*. Statements to that effect were made by US Permanent Representatives to the United Nations in 1971 and 1976 and by Secretary of State Cyrus Vance in 1980. p.9

³¹ US Department of State (1978). *Israeli Settlements in the Occupied Territories. Digest of United States Practice in International Law*. Washington DC, US Department of State, Office of the Legal Adviser. p.1578

³² Foundation for Middle East Peace (2002). *Israeli Settlements in the Occupied Territories: a guide*. Washington DC, Foundation for Middle East Peace, March 2002. <http://www.fmep.org/reports/2002/sr0203.html> - accessed 28 October 2003

belong to it: they cannot, therefore, be 'occupied territories' and the provisions of the Geneva Convention do not apply to them.³³

The Bush Administration adopted a firm position on the matter, consistent with that articulated by Bush in 1971 when he was accredited to the United Nations. Baker had told AIPAC in May 1989 that Israel should lay aside its unrealistic vision of a Greater Israel, forswear annexation and stop settlement activity.³⁴ The following March he told a congressional committee that the United States would support a request for \$400 million in loan guarantees to build housing for Soviet Jewish immigrants provided that Israel agree to halt the construction of new settlements in the territories.³⁵ Two days later the president confirmed that there should be no new settlements in the West Bank or East Jerusalem, the specific mention of Jerusalem provoking an outcry from Israel's American supporters.³⁶

Detail relating to Palestinian representation under Baker's five-point plan was introduced into the Israeli cabinet in this context. Determined not to concede any possible basis for a Palestinian claim to any part of Jerusalem, Shamir objected to a proposition that it might be possible for a Palestinian who had residential addresses in both the West Bank and East Jerusalem to be a representative at the proposed conference. The proposition was submitted to the cabinet of Israel's coalition government where it was endorsed with Labor support. The prime minister and conservative members of the cabinet opposed it. Labor then left the coalition and secured a vote of no confidence against the government in March. It took Shamir until June to reconstitute a government, this time with hard-line right-wing support.³⁷ These developments, and an attack on Israel by the Palestine Liberation Front on 30 May contrary to Arafat's assurances, ensured that by mid-1990 another America-backed initiative to promote a peace settlement was dead.

Iraq's invasion of Kuwait and America's forging of an international alliance to counter Iraqi aggression saw a revival of the question of a peaceful and comprehensive settlement of the Arab-Israel dispute. Prior to Iraq's

³³ Mark (2003). *Palestinians and Middle East Peace*, p.9

³⁴ Baker (1995). *The Politics of Diplomacy*, p.121

³⁵ Ibid. p.127

³⁶ Ibid. p.128

³⁷ Morris. *Righteous Victims*, p.610

invasion of Kuwait, President Saddam Hussain had sought to promote his pan-Arab credentials by disparaging America's record in relation to the Palestinians.³⁸ Later, he tried to create a linkage between the questions of Palestine and Kuwait. In the context of the imposition of UN sanctions against Iraq, Baghdad criticised America's passivity in the face of Israel's refusal to withdraw from occupied territories in accordance with UN Security Council Resolutions 242 and 338, and demanded that America show the same attention to all Security Council resolutions.³⁹ The United States was determined to maintain a clear distinction between events in the Gulf region and those in the Mediterranean littoral,⁴⁰ and to ensure that Saddam's attempt to forge a linkage between the two issues did not gain currency beyond the Palestinians and, to a lesser extent, Jordan.⁴¹

While the United States was successful in preventing a direct linkage, there was a growing climate in favour of a Middle East peace settlement, including among America's Western allies. The Administration recognised that Arab countries' deployment of military forces under US leadership required some reciprocal gesture. Baker had promised that the United States would address the larger issues of the Middle East after the Iraq-Kuwait crisis had been resolved.⁴² The matter was discussed at Bush's meeting with President Hafez al-Assad in Geneva in November 1990. Prime Minister Shamir visited

³⁸ The question of the Palestinian *intifada* was discussed at the Twenty-second Arab Summit in Baghdad, 28-30 May 1990. Government of Egypt (2000). *A Reading of the Arab Summit Chronicles*, Egyptian State Information Service, 21 October 2001.

<http://www.sis.gov.eg/online/html3/o211020f.htm> – accessed 17 January 2002

³⁹ Aronson, G. (ed.) (1991). "Documents and Source Material." *Journal of Palestine Studies* Vol. XX No. 3 (Spring 1991). Statement by Iraqi Foreign Minister Tariq Aziz at a press conference after his meeting with American Secretary of State Baker, in Geneva, 9 January 1991. p. 142; Secretary Baker also held a press conference after the meeting at which he referred to his personal efforts over 14 months to bring about a dialogue between Palestinians and Israelis, and said that he had made it very clear to the Iraqi Foreign Minister that 'there would be no linkage... of that issue to Iraq's withdrawal from Kuwait'. p. 163

⁴⁰ Bush, G.H.W. (1990). Joint News Conference with President Hosni Mubarak of Egypt and an Exchange with Reporters at Cairo, Egypt, 23 November 1990. *Public Papers - President Bush, 1990*. The President said: 'What I am equally determined to do is keep these two questions separate. There should not be any linkage. Saddam Hussain should not be able to hide behind the difficulty in one area so he can continue his aggression and brutality and torture in another'. p. 1679

⁴¹ Aronson (1991). "Documents and Source Material." In his last interview on 13 January 1991, the prominent Palestinian figure, Abu Iyad, said that 'it is important to work for two declarations of principle: an Iraqi declaration concerning the withdrawal of Iraqi troops from Kuwait, and a UN declaration establishing a link between the problems of the Middle East and of the Gulf'. p. 146; Jordan's King Hussein juxtaposed the two issues without making the linkage between them explicit. pp. 148-9

⁴² Baker (1995). *The Politics of Diplomacy*, p. 414

Washington and met with Bush in December 1990. The US and Israeli leaders agreed on the need to try to reinvigorate the peace process after the Gulf crisis had been solved.⁴³ A month later, the American and Soviet foreign ministers agreed that 'mutual US-Soviet efforts to promote Arab-Israel peace and regional stability'⁴⁴ be undertaken in the aftermath of the crisis in the Gulf. The Israeli prime minister immediately criticised the statement, which dealt with his country's affairs, for having been issued without either consultation with, or prior notice to, his government.

The complaint was insufficient, however, to deter the two superpowers from continuing to work together toward a peace settlement. It was in American's interest to engage the Soviet Union in cooperative endeavour in the Middle East, demonstrating the advantages of its proclaimed 'new world order'. Their cooperation in relation to the Arab-Israel dispute fostered an illusion of continuity with American and Soviet co-sponsorship of the Geneva Conference of December 1973. In reality the power lay with the United States, particularly as the Soviet Union became increasingly preoccupied with its domestic affairs. As early as March 1991, Baker made it clear to the Soviet leadership that the price of co-sponsorship would be the Soviet Union's establishment of full diplomatic relations with Israel.⁴⁵ In July, Presidents Bush and Gorbachev announced that the United States and the Soviet Union, acting as co-sponsors, would work to convene a peace conference in October.⁴⁶ In preparation for a conference - and in accord with the new era of cooperation - the foreign ministers of the two countries met in Jerusalem on 18 October. The Soviet Union's restoration of full diplomatic relations with Israel, after a break of 24 years, was pre-emptively announced by America that day, coinciding with the

⁴³ Aronson (1991). "Documents and Source Material." Briefing on Bush-Shamir Talks - 11 December 1990 by US Under Secretary of State John Kelly. p.157

⁴⁴ Ibid. Joint U.S.-Soviet Statement on the Gulf - 29 January 1991. p.137

⁴⁵ Baker (1995). *The Politics of Diplomacy*, p.428

⁴⁶ US Department of State (1991). "U.S.-Soviet Joint Statement on the Middle East - 31 July 1991." *US Department of State Dispatch* (12 August 1991) p.593; Bush, G.H.W. (1990). Joint News Conference of President Bush and Soviet President Mikhail Gorbachev, 9 September 1990. *Public Papers - President Bush, 1990*. A commonality of purpose between the Soviet Union and the United States had been established at a meeting between the two Presidents at Helsinki, Finland in September 1990. pp.1204-12

formal issuance of invitations by their heads of state to a conference in Madrid on 30 October 1991.⁴⁷

Success

How the United States succeeded in bringing all the major actors in the Arab-Israel dispute into negotiation is an outstanding example of the efficacy of the projection of American power. Ideas were explored, inducements offered, coercion exerted, and leverage maximised through the co-optation of third parties in order to persuade the parties principal to participate in the negotiation.

The Bush Administration's analysis of the geopolitical situation in late 1990/early 1991 suggested that the broad coalition of states forged to contest Iraq's occupation of Kuwait, the newly emergent pattern of cooperation among the permanent members of the Security Council, and America's demonstration of leadership in prosecuting the Gulf War, offered prospect that the outcome of the war might create conditions conducive to productive negotiations between Arabs and Israelis. Syria would recognise that the Soviet Union no longer offered an attractive alternative to American leadership. The defeat of Iraq, militarily the strongest Arab state, would show the Arabs that a military solution to the Arab-Israel conflict was impossible. The Palestinians and Jordanians, who had been drawn emotionally to the Iraqi side, would realise that their support among the victorious Arab states had been diminished. Appreciating the weakness of their situation, they could be expected to respond to overtures to participate in diplomatic negotiations. Israel would emerge from the war with an enhanced sense of security due to Iraq's defeat and America's provision of Patriot missiles, at that time promoted as an effective addition to Israel's defensive armoury. In such circumstances, it was hoped that Israel would not decline any new American overture. For the United States, the national interest in facilitating negotiations toward a resolution of the Arab-Israel dispute was concern that hostilities between Israel and some combination of Arab states could break out again some time in the future jeopardising American interests in the region and, possibly, elsewhere.⁴⁸

⁴⁷ Aronson (1992). "U.S.-Soviet Letter of Invitation to Peace Talks in Madrid, 18 October 1991." *Journal of Palestine Studies* Vol.XXI No.2 (Winter 1992). pp.120-1

⁴⁸ Quandt (2001). *Peace Process*, pp.303-6

A resolution of the Arab-Israel dispute became a formal objective of the Administration when Bush addressed a joint session of the Congress on 6 March 1991, saying:

We must do all that we can to close the gap between Israel and the Arab states - and between Israelis and Palestinians...A comprehensive peace must be grounded in United Nations Security Council Resolutions 242 and 338 and the principle of territory for peace. This principle must be elaborated to provide for Israel's security and recognition and at the same time for legitimate Palestinian political rights. Anything else would fail the twin test [*sic*] of fairness and security. The time has come to put an end to the Arab-Israel conflict.⁴⁹

While his statement focussed on Israel and the Palestinians, he was concerned to express the Palestinian question in the context of closing 'the gap between Israel and the Arab states'. The plural is instructive, even though the states were not specified. The immediate objective was to convince all disputants to come together in order that they might proceed to negotiate a resolution of their differences. The intermediate objective of convoking a conference was not without attendant difficulty because Israel's Arab neighbours had never to that point agreed to negotiate with Israel. It was not until agreement had been reached on the convoking of an international conference to address a resolution of the Arab-Israel dispute that greater precision was given to defining the scope and objectives of the process. Bush's contribution during his first presidential term was to bring the parties principal together: he would have hoped that a second term would have provided the space in which to pursue a comprehensive settlement of the dispute.

Bush sent his secretary of state to the Middle East to explore the prospects for an international peace conference. It was a journey Baker was to make eight times during 1991 as America exercised its power in order to convoke a conference. It had proven impossible to secure Shamir's commitment to enter into negotiation with the Palestinians in 1989-90, even on terms based on his own proposals. A new approach would be necessary if negotiations were ever to be successfully launched. Baker has revealed that the centrepiece of what was to become a new US initiative had been based on a

⁴⁹ Bush, G.H.W. (1991). Address Before a Joint Session of the Congress on the Cessation of the Persian Gulf Conflict, 6 March 1991. *Public Papers - President Bush 1991*, p.220

proposal in September 1990 by a senior aide to the Israeli foreign minister.⁵⁰ There should be two tracks, the first leading to an Israel-Palestinian dialogue; and the second engaging Israel and the Arab states in a regional conference, cosponsored by the United States and the Soviet Union, where all the parties directly concerned would be represented.⁵¹ This would be in lieu of a conference under the aegis of the United Nations, sought by a number of Arab and other states but anathema to Israel and the United States because so many resolutions adopted by UN agencies went against what they believed to be Israel's interests. The hope was that, once the parties had been brought to the negotiating table, the dynamic would produce a comprehensive and peaceful settlement of the Arab-Israel dispute. Four things are apparent from even this minimalist description: the Bush Administration's proposed structure would draw upon an Israeli concept; the focus would be on the negotiating process rather than upon negotiating an outcome related to some desired objective; and the negotiating process would accord *de facto* recognition by Arab states to Israel as a Middle Eastern state, thus conferring upon Israel a measure of legitimacy denied by Arab states since 1948. The principle of self-determination for the Palestinian people would be qualified: it would not extend to a separate independent state, but application of the principle would not be excluded in the context of a confederation with Jordan.⁵²

Baker knew that in order to convoke a conference it would be essential to demonstrate to the Arabs and to the Israelis that both sides were prepared to be flexible. As neither side would be prepared to move first, parallel reciprocal steps would need to be taken.⁵³ A tentative move by one Arab state might be sufficient to strengthen the resolve of another, until gradually an Arab consensus could be framed around participation in an international conference. Baker's tactic was to acquire and apply accumulative authority through persuasion and leverage. He began by seeking support in Egypt and Saudi Arabia, before engaging with Shamir and Assad. Egypt, which had been cold-shouldered by the Arab world after signing a peace treaty with Israel in 1979, enthusiastically supported the American initiative. The Saudis traditionally felt

⁵⁰ Baker (1995). *The Politics of Diplomacy*, p.513

⁵¹ Ibid. p.416

⁵² Ibid. p.496

⁵³ Ibid. p.416

more secure when occupying the middle ground, but Baker was able to gain their commitment to attend the conference under the cloak of representing the six states of the Gulf Cooperation Council.⁵⁴ Mubarak and King Fahd were asked to help bring Syria on board, and in the meantime to keep the PLO at bay because of Arafat's pro-Iraq stance during the Gulf War.

Syria's primary interest in any eventual settlement of the Arab-Israel dispute related to recovery of territory in the Golan Heights occupied by Israel under the terms of the 1974 Disengagement Agreement. Baker decided to focus on that issue. Shamir had shown him a letter from President Ford to the Prime Minister of Israel dated September 1975 pledging that in formulating future policy with respect to the terms of a peace settlement, the United States would give 'great weight to Israel's position that any peace agreement with Syria must be predicated on Israel remaining on the Golan Heights'.⁵⁵ Baker asked Shamir what the position would be if there were American troops stationed there, and was told that the situation would then be different.⁵⁶ Armed with this hint of flexibility, Baker told Assad that he was prepared to explore the concept of a formal American pledge guaranteeing the security of the Israeli-Syrian border along the Golan Heights, comparable with the Multinational Force and Observers on the Israeli-Egyptian border, but that such a commitment could be offered only after Israel and Syria had negotiated a full and complete peace. Baker said also that he would not explore the question of security guarantees with his president unless Assad were willing to drop his insistence that an international conference convened as part of the proposed peace process be in continuous session with all members of the UN Security Council present.⁵⁷ Later Assad was to claim that Baker had promised the return of the Golan to Syria and that America was backing away from its offer of guarantees, a charge that Baker flatly denied. He reminded Assad that an American security guarantee offered the best prospect for gaining Israeli withdrawal from the Golan Heights and Syria should not underestimate its importance.⁵⁸ Baker co-

⁵⁴ Ibid. p.459

⁵⁵ Ibid. p.424

⁵⁶ Ibid. p.424

⁵⁷ Ibid. pp.455-6

⁵⁸ Ibid. p.461

opted others, this time Egypt and the Soviet Union, in persuading the Syrians to agree.

The Americans had always anticipated that Israel would have difficulty with the form and composition of Palestinian representation, especially after Arafat had applauded the Iraqi cause in the Gulf War and Palestinians had cheered Iraqi SCUD missile attacks on Israel. The notion of a joint Jordanian-Palestinian delegation would require some fence-mending. Jordan's king would have to assure the United States of his support for its initiative, and the Bush Administration would have to reclaim him as an ally after Jordan's opposition to America's position in the Gulf War. Both parties were quick to recognise the value in terms of their own interests of a resumption of cooperation. King Hussein appreciated the importance of Jordan's participation in a regional conference, and agreed to exercise his influence to secure the nomination of individuals likely to prove acceptable to Israel in their guise as Palestinian representatives. That would mean inclusion in the Jordanian delegation of Palestinians from the West Bank with no institutional links to the Tunis-based PLO leadership and with only nominal association with East Jerusalem. To that end, the king pledged to tell the PLO to keep a low profile,⁵⁹ and the Administration signalled its appreciation by rewarding Jordan with \$27 million in food aid, despite congressional objections.⁶⁰

Israel also had a fundamental problem with the basis for the conference. The notion of exchanging territory for peace in accordance with UN Security Council resolutions was contrary to Likud's longer term objective of the realisation of *Eretz Israel*.⁶¹ Begin had succeeded at Camp David in 1978 in reaching agreement with Sadat on UN Security Council Resolution 242 as the basis for a peace settlement while avoiding explicit reference to the question of territorial exchange.⁶² Shamir wished to carry the same approach into any new negotiation. Baker responded that while the parties could interpret the formula however they wished, the Arabs would never agree to language modifying

⁵⁹ Ibid. p.451

⁶⁰ Ibid. p.465

⁶¹ Quandt (2001). *Peace Process*. Shamir said on 24 July 1991: 'I don't believe in territorial compromise. Our country is very tiny. The territory is connected to our entire life – to our security, water, economy...Security, territory and homeland are one entity'. p. 309

⁶² Europa Publications (1978). "The Framework for Peace", pp.119-22

Resolution 242 as the basis for a meeting.⁶³ Further, Shamir had difficulty with the notion of inviting a representative of the European Community and an observer from the United Nations to the conference, given the expressions of sympathy for the positions of the Arabs that had emanated from these two institutions over a number of years. A personal letter to Shamir from Bush on 31 May failed to persuade him to compromise, confirming Baker's suspicion that 'Shamir simply was not interested in peace'.⁶⁴ For Baker, the hope of convening a peace conference now lay with Assad. If he could be persuaded to compromise, Shamir would be thrust onto the defensive.⁶⁵

Concurrently with his letter to Shamir, Bush had written to the other prospective participants. Assad was warned that the peace process would proceed with or without him and that the bilateral relationship would suffer if Syria was not on board.⁶⁶ Assad agreed to Syrian participation in the negotiation. Having now mustered Arab states' agreement to engaging in direct negotiations with Israel, something Israel had sought for forty years, Baker calculated that 'neither Shamir nor the Palestinians could possibly remain intransigent in these circumstances'.⁶⁷ Shamir's suspicions were not easily allayed, however, and he remained concerned that the Arab states would find a way to bring the United Nations more intimately into the negotiating process. In order to gain Shamir's acquiescence, Bush offered an inducement, committing the United States to a serious effort to secure the repeal of UN General Assembly Resolution 3349 equating Zionism with racism, which had been adopted in 1975. The Administration was not prepared, however, to acquiesce in Shamir's ambit claim for two years of automatic vetoes in the UN Security Council on any measure Israel opposed.⁶⁸

As the process of negotiating with the principal parties had proceeded, Baker had given certain assurances to each. Assad and Shamir used the opportunity presented by discussion on draft letters incorporating their

⁶³ Baker (1995). *The Politics of Diplomacy*, p.445

⁶⁴ Ibid. p.469

⁶⁵ Ibid. p.469

⁶⁶ Ibid. p.468

⁶⁷ Ibid. p.488

⁶⁸ Ibid. pp.494-5

assurances to secure marginal gains in terms of their respective interests.⁶⁹ A public announcement of the invitation to a peace conference was designed to halt such erosion. The Palestinians were the last party to announce that the terms of the conference were acceptable. In the face of death threats and the opprobrium of PLO headquarters, the 'West Bankers' produced the names of fourteen persons who could be accommodated within a joint Jordanian delegation. All of them were acceptable to Israel.

Throughout this exercise of American diplomacy, the Israelis had persisted with the building of settlements in the occupied territories.⁷⁰ This could only raise doubt about Israel's preparedness to display flexibility at any peace conference. In Shlaim's view: 'Settlement activity was not just incompatible with the peace process; it was intended to wreck it'.⁷¹ The Americans had obtained public assurances from several Arab states that they would suspend the Arab League's economic boycott of Israel if settlement activity in the occupied territories were halted.⁷² Through carefully balanced policies the Administration sought to deny assistance to Israel for its settlements, while continuing to extend support in other areas such as the repeal of the 'Zionism/racism' resolution.⁷³

Six days after the US-led coalition launched its air attack against Iraqi forces in Kuwait in January 1991, Israel's finance minister announced that his government would ask for \$13 billion in additional aid from the United States – '\$10 billion in loan guarantees for settling Soviet Jews, and \$3 billion in compensation for the damage inflicted on Israeli cities by SCUD attacks'.⁷⁴ The Administration seized the opportunity presented by this request to coerce Israel into attending a peace conference. Baker suggested that Israel curtail the expansion of settlements in the West Bank as a gesture for peace, but this was

⁶⁹ Ibid. p.508. Israel asked for forty-five changes in the draft letter of assurances and letter of invitation.

⁷⁰ The Israeli government had embarked upon the building of settlements that were designed to double the Jewish population in the occupied territories in four years, accommodating some Jewish immigrants from the Soviet Union.

⁷¹ Shlaim (2000). *The Iron Wall*, p.486

⁷² Bush, G.H.W. (1991). Remarks at the Antiochian Orthodox Christian Church Annual Convention, 25 July 1991. *Public Papers - President Bush, 1991*. Egypt, Jordan and Saudi Arabia were mentioned as being among the several Arab states. p.959

⁷³ Rabil, R. (2001). "The Ineffective Role of the US in the US-Israeli-Syrian Relationship." *The Middle East Journal* Vol.55 No.3 (Summer 2001). pp.423-4. The resolution was revoked by the UN General Assembly on 16 December 1991.

⁷⁴ Baker (1995). *The Politics of Diplomacy*, p.544

turned down by Ariel Sharon, then Israel's housing minister.⁷⁵ Then, against the wishes of a powerful domestic lobby group,⁷⁶ Bush gained the Senate's agreement to defer the loan guarantees for 120 days, although it transpired that deferral was to continue after the expiry of the designated period. Shamir retorted that 'the settlements expansion will continue, and no power in the world will prevent this construction'.⁷⁷ For its part, the United States rejected any idea of a compromise short of a settlement freeze: 'we're not going to be financing something directly or indirectly that American policy has opposed for 25 years'.⁷⁸

The Israeli government eventually caved in to American pressure and voted to attend the peace conference. It is possible that the government thought that it had little to lose in acquiescing: it could always impede developments that threatened its national interests during the conference. Inadvertently, the Israeli loan guarantee request and the prime minister's obduracy had played into the hands of the Bush Administration, whose response was not wholly motivated by concern over Israel's settlement policy. Shamir had been difficult to deal with and, by playing the loan guarantee question as it did, the Administration contributed in some measure to his electoral defeat in June 1992.⁷⁹

Although the Administration was successful in bringing all relevant Arab parties into face-to-face negotiation with Israel through an international conference, the prospect of its producing a negotiated settlement of the Arab-Israel dispute was at best tenuous. Baker's diplomacy had suggested a possible

⁷⁵ Shlaim (2000). *The Iron Wall*. It was Sharon's intention to create irreversible facts on the ground by settling Israelis in the occupied territories in order to preclude territorial compromise or Palestinian self-government. Shamir promoted this strategy without proclaiming it explicitly. p.486

⁷⁶ Bush, G.H.W. (1991). The President's News Conference, 12 September 1991. *Public Papers - President Bush, 1991*. Bush said: 'I heard today there was something like a thousand lobbyists on the Hill working the other side of the question. We've got one lonely little guy down here doing it'. pp.1140-2

⁷⁷ Rabil. "The Ineffective Role", p.422

⁷⁸ Ibid. p.422, citing testimony by Secretary of State Baker to the Senate Operations Committee in February 1992.

⁷⁹ Quandt (2001). *Peace Process*. The incoming Prime Minister, Yitzhak Rabin, announced that more than 6,000 housing units planned for the West Bank would be cancelled, although some 10,000 units under construction would be finished. The Congress voted for the \$10 billion in loan guarantees in October 1992, with the president retaining the authority to make deductions from the appropriation of amounts that Israel might spend on settlements beyond the completion of the 10,000 units already under way. p.314

means of resolving the Golan Heights issue, but profound uncertainty had to be entertained about any accommodation between Israelis and Palestinians.

The Madrid conference was ambitiously conceived and was to be comprehensive in scope, addressing the vexed questions of Israel's relationships with respectively the Palestinians, Jordan, Lebanon and Syria; and multilateral issues such as arms control and regional security, water, refugee issues, the environment, economic development, and other subjects of mutual interest.⁸⁰ Although linkage among the elements was explicitly denied, the Americans expressed a hope that agreement in all negotiations would serve the interests of a comprehensive settlement.⁸¹ The withdrawals of Israeli and Syrian forces from Lebanon, under the terms of UN Security Council Resolution 425 and the Taif Agreement of 1989 respectively, were viewed by the American Administration as separate issues to be treated independently of any Israeli withdrawal from occupied territory in accordance with UN Security Council Resolutions 242 and 338.⁸² The Administration made explicit its continued opposition to Israeli settlement activity in Syrian and other territories occupied in 1967 as an obstacle to peace; its refusal to recognise or accept the extension of Israeli sovereignty to the Golan Heights; and its opposition to the Israeli annexation of East Jerusalem and the extension of Jerusalem's municipal boundaries.⁸³ These, and other, undertakings were incorporated in the letters of assurances to the parties in lieu of more binding memoranda of understanding that had originally been planned.

While a principal element of the conference would be the question of Palestine, a significant omission from the agreed arrangements was any vision of the probable outcome of negotiations between Israelis and Palestinians. The Administration expressed a hope that negotiation would lead to 'permanent status', and committed the United States to accept any outcome agreed by the parties.⁸⁴ These expressions were essentially procedural and left the field wide open. The sole hint of a possible eventual outcome in the form of confederation

⁸⁰ Butler, L. (ed.) (1992). "The Madrid Peace Conference." *Journal of Palestine Studies* Vol.XXI No.2 (Winter 1992). See the Invitation extended on 18 October 1991, p.121

⁸¹ Baker (1991). "US letter of assurances to Syria." *Journal of Palestine Studies* Vol.XXI No.2 (Winter 1992) p.119

⁸² Ibid. "US letter of assurances to Lebanon." p.120

⁸³ Ibid. "US letters of assurance to the Palestinians and Syria." pp.118-9

⁸⁴ Ibid. "US letter of assurances to the Palestinians." p.119

with Jordan⁸⁵ was rejected by Shamir in a letter to Baker.⁸⁶ Shamir saw no difference between such a confederation and an independent Palestinian state; Jerusalem would not be up for discussion; Israel was not bound by American assurances to the Arab parties; and progress in the bilateral channels would be linked to that in the multilateral channels. All that Israel was prepared to concede was that the Palestinian question would be tackled according to an agreed phased framework comparable to that in the Camp David accords. Interim self-governing arrangements should be concluded within one year, and last for five years. Beginning during the third year of the period of interim self-government arrangements, negotiations would take place on permanent status. The permanent status negotiation would take place between Israel and the Arab states on the basis of UN Security Council Resolutions 242 and 338.

The United States was not prepared to go beyond a restricted interpretation of the principle of self-determination as it related to Palestinian aspirations. While the principle is expressed in the first Articles of the UN Charter, and the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights adopted by the UN General Assembly in 1966, there is no absolute right to national self-determination.⁸⁷ The cosmopolitan strain of contemporary theory endorses a right to national self-determination in some circumstances, but 'recognises no such general right because it calls into question the vision of a world of nation-states that the right to national self-determination presupposes'.⁸⁸ There is no disposition among nation-states to countenance a wholesale devolution of sovereignty to minority groups within, or across, existing borders. This could pose significant challenges to the sovereignty of many nation-states.⁸⁹ The principal manifestation of the right has been the transformation of colonial

⁸⁵ Ibid. p.119

⁸⁶ Ibid. Prime Minister Yitzhak Shamir's letter dated 28 October 1991. p.124

⁸⁷ Freeman, M. (1999). "The right to self-determination in international politics: six theories in search of a policy." *Review of International Studies* Vol.25 No.3 p.368

⁸⁸ Ibid. p.367; Keal, P. (2003). *European Conquest and the Rights of Indigenous Peoples: the moral backwardness of international society*. Cambridge UK, Cambridge University Press. He concludes that 'self-determination is a contested concept, the meaning of which is not easy to pin down'. p.136

⁸⁹ United Nations (1960). UN General Assembly Resolution 1514 (XV). Operative paragraph 6 states: 'Any attempt aimed at partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations'.

dependencies into nation-states, commonly within borders established by the metropolitan powers and generally recognised internationally. The United Nations has offered recognition, status and influence to states and given stateless nations an incentive to become nation-states. The post-colonial model does not apply to the Palestinian case, a UN plan for the partition of the British mandated territory of Palestine into Arab and Jewish states having been rejected by Arab and Muslim nations in 1947.

The international community has not been successful in addressing the concept of self-determination of peoples,⁹⁰ which remains to be clarified.⁹¹ It appears to have operated on the principle that the best way to resolve a contentious claim for self-determination was for the UN to pronounce on its validity. Paul Keal has argued that 'indigenous peoples should be recognised, by states and international society alike, as "peoples" with the right to self-determination',⁹² and that self-determination 'should now be understood in a way that uncouples it from the state and allows for the self-determination of two or more peoples within the territorial boundaries of the state'.⁹³ Michael Freeman's argument, based on liberal theory, focuses on the possibility of a peoples' secession from an oppressive regime. He has postulated that there is 'a right of secession or national self-determination *only* if there are serious and persistent violations of human rights *and* no solution other than self-determination is available'.⁹⁴

The Palestinians are not seeking self-determination 'within the territorial boundaries of the state' or secession from a lawfully constituted regime, but separation from a regime whose imposition by military conquest does not enjoy international recognition and whose withdrawal from occupied territory has been demanded through UN Security Council resolutions. Secession and separation are different and the Palestinian demand does not fit Freeman's theoretical concept, but the paradigm does provide an analogy. In that Israel is almost universally judged to have breached provisions of the Fourth Geneva Convention, the Palestinian case may be taken as satisfying Freeman's first

⁹⁰ Freeman. "The right to self-determination", p.358

⁹¹ Ibid. p.365

⁹² Keal (2003). *European Conquest*, p.217

⁹³ Ibid. p.219

⁹⁴ Freeman. "The right to self-determination", p.360. Original emphasis.

criterion. The second criterion is more problematic because, as Keal has postulated, a conceptual alternative exists to self-determination as currently interpreted by the United Nations. It would involve self-determination of a people within a state, but it is politically unacceptable to both Israelis and Palestinians. The extension of Israeli citizenship to Palestinians would jeopardise the Jewish character of Israel, and in all probability confine the Arab population to second-class citizenship. In practical terms, no solution other than self-determination - as an expression of national identity - is available, which means that effectively Freeman's second criterion has also been satisfied.

Another possible self-determination model has been advanced by Ian Lustick who has suggested that state contraction, as opposed to the historically familiar example of state expansion, 'is a logical requirement of enhanced self-determination for groups ruled by existing states'.⁹⁵ As a community 'ruled by' an existing state, the Palestinians would qualify for consideration under the terms of Lustick's concept. He contrasts the surgical separation of Algeria from metropolitan France with the chronic and persisting problem of a Catholic Northern Irish people's desire for separation from the United Kingdom, positioning the question of Israel and the Palestinians in relation to these two examples. But Lustick recognises that the concept of state contraction has been 'virtually ignored by existing theory and by most policymakers'.⁹⁶ Significantly, the concept of state contraction is inherently contrary to American experience and to Zionism, including especially to the ambitions of Israelis to the right of that country's political spectrum.

As the Palestinian case conforms to neither the post-colonial nor the secessionist model, the Palestinians demand distinctive treatment. Their case for separation is predicated on the 'special' nature of the conflict with Israel and argues that 'sovereignty has a special meaning' in that context.⁹⁷ They seek the recovery of a 'national sovereignty' that had not previously been recognised:

Sovereignty for the Palestinians should not be seen as a text-book principle of national rights but more as a reflection of a national

⁹⁵ Lustick, I.S. (2002). Self-Determination and State Contraction: Britain and Ireland, France and Algeria, Israel and the West Bank/Gaza. *The Self-Determination of Peoples: community, nation, and state in an interdependent world*. W.F. Danspeckgruber. Boulder CO, Lynne Rienner Publishers. p.224

⁹⁶ Ibid. pp.223-4

⁹⁷ Abbas. *Through Secret Channels*, p.219

existence that was not originally recognised. However, the mechanism by which the terms of the accord will be implemented will eventually give rise to the emergence and crystallisation of many features of sovereignty, and this process will go on until complete national sovereignty is realised.⁹⁸

Palestinian sovereignty, in these terms, would be accomplished by an Israeli withdrawal in accordance with the two UN Security Council resolutions.

When Mahmoud Abbas, the chief PLO architect of the Oslo accord, published those words in 1995, Palestinian thinking was to express such 'complete national sovereignty' in confederal form: confederation being, as he saw it, a contractual agreement between two or more independent entities. The goal of independent statehood was, thus, a necessary precursor to confederation.⁹⁹ Later, the Palestinians were to amend their position and to seek a sovereign Palestinian state alongside Israel. In constructing the framework of the Madrid conference the Administration held to an objective that they shared with Israelis for some available solution to the question of Palestine other than self-determination, denying the possibility of a 'two-state solution'. A decade later both countries were to profess support in principle for an independent Palestinian state.

Conclusion

If a settlement of the Arab-Israel dispute were ever to be achieved, it would be necessary for the parties principal to negotiate with one another. An essential intermediate objective attained by the United States was the parties' agreement to enter into negotiations. The Madrid conference was 'designed to launch a process, not conclude it'.¹⁰⁰ The Bush Administration fondly hoped that by 'breaking the symbolism of denial - a taboo on direct talks between Arabs and Israelis',¹⁰¹ - the participants might declare their determination to make peace and avoid attacking their negotiating partner, Israel. The conference succeeded in getting negotiation under way.

The United States had employed the instruments at its disposition to get Israel and its four Arab neighbours to the negotiating table. That had required

⁹⁸ Ibid. p.219

⁹⁹ Ibid. p.220

¹⁰⁰ Ross, D.B. (2004). *The Missing Peace*, p.81

¹⁰¹ Ibid. p.80

its unwavering commitment to its interim objective, a flexible approach, and the expenditure of considerable energy.¹⁰² International legitimacy would be accorded to the negotiations through participation, in some measure, of the United Nations, the European Community and the Gulf Cooperation Council,¹⁰³ and a formula had been devised that allowed for what one observer questionably termed 'authentic but non-PLO Palestinian',¹⁰⁴ representation. In the event, Israeli acceptance proved to be the hardest to extract, requiring both inducements and the application of leverage. Inducements were also broached with other states. In essence, the conference had been secured principally through persuasion, backed by selective offers of rewards.

The outcome was, however, an unbalanced one. In adapting an Israeli structure and ensuring that negotiations did not transgress upon Israel's bottom line, the United States created a framework that formalised the disparity between Israelis and Palestinians. On the core issue before the conference, the future relationship between Israelis and Palestinians, one party to the negotiations was formally separated from its political leadership and denied identity as a separate people. The Palestinians, especially the 'West Bankers' from among whom many representatives were chosen, could not afford to let the opportunity to address the Palestinian cause pass. Circumstances that were to restructure to negotiation process fundamentally will be addressed in the next chapter.

For decades the Palestinians had hoped that America's liberalism and power could be engaged to their advantage. It is probable that a memorandum addressed to the United States in April 1949 was the first appeal by Palestinians

¹⁰² Baker (1995). *The Politics of Diplomacy*. Baker has described the process as 'a rich tale of determination, false starts, personal and political courage, blind alleys, perseverance, misjudgments, lost tempers, endless negotiations, scores of creative compromises, and both good faith and bad. In the end, the courage and determination of the parties themselves to give peace a chance – bolstered by the psychological sustenance, credibility, and catalytic creativity of the last superpower – somehow prevailed over years of enmity and chaos'. p.488

¹⁰³ Aronson (1992) "U.S.-Soviet Letter of Invitation". The United States had been able to secure the agreement of the parties principal to the involvement of the president of the European Community as representative of that body. The Secretary-General of the Gulf Cooperation Council would have a role in relation to multilateral issues, thus formally associating oil and gas producing states of the Gulf with the peace process. The United Nations would have a token presence through the attendance of an observer representing the Secretary General. p.121

¹⁰⁴ Hudson, M.C. (1998 (3rd edit.)). *The United States and the Middle East. World Security: challenges for a new century*. M.T. Klare and Y. Chandrani. New York NY, St Martin's Press. p.121

to a foreign government for help after having been driven from their homeland.¹⁰⁵ Forty years on, a 'national' Palestinian delegation had been deliberately excluded from a peace conference, one of whose principal issues was the future of the Palestinian people. While the United States had declared that it would support any outcome achieved through negotiation with Israel, the Palestinians knew even before the negotiation began that a right of national self-determination had been denied. Given Israel's comparative strength, this would mean recognition of any outcome based on what Israel was prepared to concede to the Palestinians. In his opening address at the Madrid conference, Bush spoke about the need for peace to be based on fairness, 'above all to the Palestinian people';¹⁰⁶ and Baker claimed that the United States 'is and will be an honest broker'.¹⁰⁷ The Palestinian representatives may well have been somewhat sceptical about such assurances in view of America's record to that point.

The Palestinians were not the only Middle Eastern party to the conference to harbour reservations about the conference. Assad had never been enthusiastic; and the right wing government of Shamir accepted it only grudgingly and under American pressure. Assad was known, however, to keep his word.¹⁰⁸ While Assad might prove to be a tough negotiator, Syria would presumably stick to any agreement reached. Doubts were entertained in Washington, however, about the strength of the commitment of the Shamir government. The most robust support for the launching of the peace process

¹⁰⁵ Sharabi, H. (1998). *The Palestinians: fifty years later*. Washington DC, The Center for Policy Analysis on Palestine. p.2; Gendzier, I. (1989). "Memorandum Submitted to the Government of the United States of America by the Jaffa and Districts Inhabitants Council, Beirut, 11 April 1949." *Journal of Palestine Studies* Vol. XVIII No.3 (Spring 1989). The Memorandum concludes: 'If the United Nations Organization has proved so far so weak as to be unable to force the Jews into behaving in accordance with international law, it is enough reason for people like us to come to you, the Government of the United States for help...[M]ost of the small countries of the world look to the United States as the all-powerful generous nation, which has been and still is prepared to defend the rights of man and the freedom of peoples'. pp.108-9

¹⁰⁶ Bush, G.H.W. (1991). Remarks at the Opening Session of the Middle East Peace Conference in Madrid, Spain, 30 October 1991. *Public Papers - President Bush, 1991*, p.1363

¹⁰⁷ Baker III, J.A. (1991). "Remarks at the Royal Palace, Madrid, 1 November 1991." *US Department of State Dispatch* (4 November 1991). Secretary Baker said: 'The United States is and will be an honest broker. We have our own positions and views on the peace process, and we will not forego our right to state these. But, as an honest broker...we...know that our critical contribution will often be to exert quiet, behind-the-scenes influence and persuasion'. p.808

¹⁰⁸ Baker (1995). *The Politics of Diplomacy*, p.425

had come from Egypt and Jordan, both of which stood to gain from a successful outcome, and Saudi Arabia. For Egypt a comprehensive peace settlement would prove the value of its risky undertaking in concluding a peace treaty with Israel. Jordan would hope to see a pacification of a troublesome issue on the River Jordan's western bank that had spilled over into the demographics and politics of the Hashemite Kingdom. The Saudi royal family would be able to demonstrate to the Islamic world and to its own people that it was genuinely concerned about the fate of the Palestinians.

These inauspicious beginnings were to influence events during 1992, but they were not the only factors to inhibit the negotiation of a comprehensive settlement during that year. The Israeli and American electoral cycles intervened, and Bush was to recall Baker from his diplomatic duties to act as his campaign manager. Without Baker's commitment to the attainment of an outcome from the process launched with fanfare at Madrid's Royal Palace, it stalled.

Chapter 4

Expectation and disappointment: the United States, Israel and the Palestinians, 1991-96

Marked progress was achieved in the negotiation between Israelis and Palestinians from 1991 to the election of Netanyahu as Israel's prime minister in 1996. Clinton, who was in office for most of that period, committed himself to the peace process and mustered international support for it. Early progress toward an accommodation between Israelis and Palestinians was, however, to be set back by extremists on both sides opposed to the probable outcome of the negotiation, and by Israel's continuing construction of settlements on occupied territory. The Clinton Administration moved to protect the process, which to that point had produced the only substantive agreements between the two contestants.

The Madrid process

William Jefferson Clinton was sworn-in as President of the United States of America on 20 January 1993 and inherited a moribund negotiation with his office. The Bush Administration had devised a two-track structure under which the negotiation would be pursued, with the bilateral negotiations commencing in Madrid in November 1991, and the multilateral negotiations being launched in Moscow in January 1992. The intent was that the former would 'resolve the core bilateral issues at the heart of the Arab-Israel dispute: namely, land, peace, and security'.¹ It would be broken down into separate bilateral negotiations between Israel and, respectively, the Palestinians, Jordan, Syria and Lebanon. There would be no binding link among the different fronts, which implied that Israel would be free to play one off against another if it were so inclined.² The multilateral track would 'address functional issues on a region-wide basis. It was designed to foster broader human contact between Israelis and Arabs...[tackling]...those regional problems that are

¹ Djerejian, E.P. (1993). "The multilateral talks in the Arab-Israeli peace process - 22 September 1993." *US Department of State Dispatch* Vol.4 No.41. p.696

² Mansour, C. (1993). "The Palestinian-Israeli Peace Negotiations: an overview and assessment." *Journal of Palestine Studies* Vol XXII No.3 (Spring 1993) p.6

themselves a source of tension and instability'.³ The multilateral negotiation will be discussed in chapter 5.

The Bush Administration's intent was to bring parties that had been openly antagonistic for decades into face-to-face negotiations. Arab expectations that Israeli concessions could simply be delivered by Washington had to be disabused.⁴ The Arab states would have to develop their own positions and negotiate seriously with Israel before the United States would seek to bridge differences with proposals of its own. Every American Administration since Lyndon Johnson's had declared that it was the role of the parties in conflict to reach a solution, not the job of the United States to impose one.⁵ The Administration saw its role in the early stages as a facilitator, not a negotiator. This meant that its power directly to effect a peace settlement was initially held in reserve. It grew into a negotiating role as the process evolved and began then to exercise its power.

The Madrid conference did not make much progress; nor did subsequent bilateral meetings in Washington in December 1991 and during 1992.⁶ Also, Israeli and American elections in 1992, which produced changes of government in both countries, interrupted the process. For the remainder of his term Prime Minister Shamir remained uncommitted to the peace process, letting slip that he intended to drag out the negotiations without result for at least ten years, but claimed later to have been misquoted.⁷ The Israeli delegation persisted through the early part of 1992 with procedural objections to direct negotiation with the Palestinian representatives.⁸ They restricted negotiation to modalities for handing over to the Palestinians certain matters concerning their daily life,

³ Djerejian (1993). "The multilateral talks", p.696

⁴ Bush, G.H.W. (1991). The President's News Conference with President Mikhail Gorbachev of the Soviet Union, 29 October 1991. *Public Papers – President Bush, 1991*, p.1356; Quandt (2001). *Peace Process*, p.311; Heikal. *Secret Channels*, pp.417-8

⁵ Savir, U. (1998). *The Process: 1,100 days that changed the Middle East*. New York NY, Random House. p.67

⁶ Heikal. *Secret Channels*, pp.412-25; Mansour. "The Palestinian-Israeli Peace Negotiations". There was an initial round of discussions between Israel and the Palestinians in Madrid and seven rounds in Washington between November 1991 and December 1992.

⁷ Morris. *Righteous Victims*, p.615

⁸ Abbas. *Through Secret Channels*, p.88. The compromise eventually reached was that a Palestinian would lead a delegation that included two Jordanians when Palestinian matters were under discussion, and a Jordanian would lead two Palestinians when Jordanian interests were under discussion.

while declining to address the principles underpinning the Palestinian cause.⁹ To break this deadlock, the Americans persuaded the Palestinians to engage with the Israelis by stating in detail their points of agreement and disagreement to every proposition.¹⁰ But the Palestinian delegates were kept on a tight rein by Arafat and lacked authority. The whole procedure was characterised by a Palestinian delegate as one of 'paralysis and inertia'.¹¹ At one stage the United States organised weekly meetings of all delegations in order to keep them at the table, but the effort proved futile.¹² It had been within the power of the United States to facilitate the process and to bring the parties to the negotiating table: how it exercised its power to effect an outcome is the subject of this case study.

Bush had outlined the proposed framework for the core Israeli-Palestinian question at the Madrid opening ceremony:

Negotiations will be conducted in phases, beginning with talks on interim self-government arrangements. We aim to reach agreement within one year. And once agreed, interim self-government arrangements will last for five years. Beginning the third year, negotiations will commence on permanent status...Nothing agreed to now will prejudice permanent status negotiations. To the contrary, these subsequent negotiations will be determined on their own merits.¹³

The proposition that the Israeli-Palestinian negotiation should proceed by confidence-building stages towards some 'final status' derived from the Camp David accords of 1978. The devil was in the principles: Israel wanted to focus solely on interim arrangements, while the Palestinians' focus was on eventual self-government. The Bush Administration found the Israeli concept

⁹ Mansour. "The Palestinian-Israeli Peace Negotiations" p.16; Parsons, A. (1996). "Reflections on the Peace Process and a Durable Settlement: a roundup of views." *Journal of Palestine Studies* Vol. XXVI No.1 (Autumn 1996). The former British Ambassador to the United Nations said that 'only the United States has influence with Israel, and Washington under whichever administration will not pressure any Israeli government into making concessions which it would not make of its own accord. To think otherwise is illusory'. p.16

¹⁰ Mansour. "The Palestinian-Israeli Peace Negotiations." Mansour was an adviser to the Palestinian delegation. He said: 'If the Palestinians wanted the United States to intervene, their differences with the Israelis had to be expressed in concrete, and therefore, bridgeable, proposals'. p.15; Bush, G.H.W. (1992). Remarks and a Question-and-Answer Session at the B'nai B'rith International Convention, 8 September 1992. *Public Papers - President Bush, 1992*. When asked about a possible Palestinian state, Bush replied: 'I still oppose a Palestinian state. I've been consistent on that for a long, long time'. But he added: 'We shouldn't dictate the terms. Let the parties negotiate it out in face-to-face negotiation'. p.1506

¹¹ Morris. *Righteous Victims*, p.614. The phrase is attributed to the Palestinian spokesperson, Hanan Ashrawi

¹² Heikal. *Secret Channels*, p.421

¹³ Bush, G.H.W. (1991). Remarks at the Opening Session of the Middle East Peace Conference in Madrid, Spain, 30 October 1991. *Public Papers - President Bush, 1991*, p.1363

of 'interim self-government' fundamentally flawed as Israel seemed reluctant to accept that, by definition, interim self-government was a stage leading to full self-government. But, having lost the presidential election in November 1992, Bush was not in a strong position during the transitional period to influence the Israelis.¹⁴ As negotiations progressed it became clear that for Israeli Labor, as for the Likud Party, 'interim' was Israeli code for 'limited'.¹⁵

As the Madrid process had produced little beyond getting the principal actors onto the same stage during Bush's presidency, Clinton decided upon taking office that an early assessment needed to be made of the prospect of success. At this stage, neither he nor his principal advisers were attracted to becoming engaged in a resolution of the Arab-Israel dispute.¹⁶ The need for an assessment gained urgency from Israel's deportation in December 1992 of 400 Palestinians for allegedly being supporters of the Islamist group, Hamas. Clinton worked closely with the Israelis to develop a solution that involved the return of 100 of the deportees in 'a timely fashion', with half of the rest to return in September 1993 and the remainder in 1994.¹⁷ In order to prepare the assessment, the president sent Secretary of State Warren Christopher to the Middle East.¹⁸ On his return Christopher reported: 'Nearly everyone I spoke to...agreed that there may be now a one-time opportunity to promote peace. History tells us that such opportunities may be fleeting, especially in the Middle East, and we believe it is now time to re-launch the negotiations'.¹⁹ They resumed in April.

An American initiative to stimulate the Israel-Palestinian negotiations was made in May and June 1993. The Administration submitted a paper purporting to be a synthesis of ideas raised by Israeli and Palestinian delegates

¹⁴ Shlaim (2000). *The Iron Wall*, p.509

¹⁵ Reich, B. (2002). "Israel's Quest for Peace." *Mediterranean Quarterly* Vol.13 No.2 cites Rabin informing the Knesset during ratification of the Israel-Palestinian Interim Agreement of 1995 that: 'The borders of the State of Israel, during the permanent solution, will be beyond the lines which existed before the Six Day War. We will not return to the 4 June 1967 lines'. p.92

¹⁶ Ross, D.B. (2004). *The Missing Peace*, pp.98-9

¹⁷ Rubenberg, C.A. (2001). "The Clinton Years: U.S. policy toward Israel and Palestine, Part One." *Information Brief* No.61 (19 January 2001). Washington DC, Center for Policy Analysis on Palestine. p.1

¹⁸ Clinton, W.J. (1993). Statement on Secretary of State Warren M. Christopher's Trip to the Middle East, 4 February 1993. *Public Papers – President Clinton, 1993*, p.44

¹⁹ Christopher, W. (1993). "Resumption of Middle East peace negotiations - 10 March 1993." *US Department of State Dispatch* Vol.4 No.11. p.141

and by American coordinators.²⁰ The document retraced some old ground in proposing that the two parties should agree on a declaration of principles to guide the negotiations, with the aim of achieving agreement in two phases.²¹ Arafat's analysis of the American synthesis identified some 65 per cent as having been taken from an Israeli paper and only 7 per cent from Palestinian sources and fumed over the United States's lack of even-handedness.²² Christopher's first essay at peace-making, like those of so many of his predecessors, was unsuccessful. Indeed, the Administration's good offices were probably unnecessary at the time, for by then a backchannel had been established at Oslo. The Administration was aware of this,²³ but seems not to have enquired about the credence then being given by both parties to it, including Israel's official participation in it from 21 May.

Israel decided to participate in the Oslo negotiations because the Labor government, elected in June 1992, had become disenchanted with the Washington talks. Arafat required that everything be referred back to the PLO leadership. Uri Savir, Director-General of the Israeli Foreign Ministry, characterised the situation as negotiating with him by fax.²⁴ In May 1993, the foreign minister, Shimon Peres, with the somewhat sceptical backing of Prime Minister Rabin,²⁵ decided that the time had come to test the PLO's true intentions.²⁶ He did so as a member of the first Israeli government to have accepted UN Security Council Resolutions 242 and 338 'as applicable to the achievement of peace'.²⁷ A secret dialogue between the Israelis and Palestinians had begun in December 1992 under Norwegian auspices. The

²⁰ Djerejian, E.P. (1993). "Statement before the Subcommittee on Europe and the Middle East of the House Foreign Affairs Committee - 27 July 1993." *US Department of State Dispatch* Vol.4 No.32. p.569

²¹ Heikal. *Secret Channels*, p.448

²² Ibid. p.449

²³ Former US Ambassador Robert Pelletreau Jr had been the American point of contact with the PLO leadership in Tunis, 1988-89. He later served as US Ambassador to Egypt. He first learned of the Oslo talks from the Egyptian Foreign Minister and subsequently from Egyptian and Palestinian officials. Interview with former Ambassador Robert Pelletreau Jr in Washington DC on 26 March 2001

²⁴ Savir (1998). *The Process*, p.5. He also said that he and two colleagues had been sent 'a collection of reports on the Washington talks with the dates whited out. Because the talks had gone around in circles, none of us could put them in order'. p.4

²⁵ Heikal. *Secret Channels*, p.443

²⁶ Savir (1998). *The Process*, p.5

²⁷ Clinton, W.J. (1993). The President's News Conference with Prime Minister Yitzhak Rabin of Israel, 15 March 1993. *Public Papers - President Clinton, 1993*. Stated by Prime Minister Yitzhak Rabin in answer to a question at the press conference. p.307

Palestinians were to demand that Israel match the 'ministerial' rank of their delegate,²⁸ and Savir attended the May round of negotiation in his official capacity.

Direct Israel-Palestinian negotiations

It was not intended that the backchannel replace the Washington process, but that it help to get it on track.²⁹ The Israelis were insistent that the talks in Washington be seen as the main channel of negotiations, partly to safeguard the secrecy of the one in Oslo.³⁰ The unofficial exchange of views transmuted into official negotiations³¹ and resulted in the initialling of a 'Declaration of Principles on Interim Self-Government Arrangements' by Israeli and Palestinian officials on 20 August 1993.

The terms of the Declaration were concluded without US input. American knowledge of the Oslo talks was very closely held³² and doubt was entertained within the Clinton Administration that they would yield concrete results.³³ During a visit to the Middle East, Christopher asked Rabin how the talks with the Palestinians in Oslo were progressing. Rabin fobbed him off with a hand gesture, suggesting 'It's not worth talking about'.³⁴ Mahmoud Abbas, who coordinated the Palestinian position from PLO headquarters, records that there was agreement between the Israelis and Palestinians that the American Administration and the Egyptian Government should be kept informed, with Israel assuming responsibility for informing the Americans and

²⁸ Morris, *Righteous Victims*, p.619

²⁹ Waage, H.H. (2002). "Explaining the Oslo Backchannel: Norway's political past in the Middle East." *The Middle East Journal* Vol.56 No.4 (Autumn 2002). p.608

³⁰ Savir (1998). *The Process*, p.24

³¹ Abbas. *Through Secret Channels*, pp.51-2; Beilin, Y. (1999 (trans. Philip Simpson)). *Touching Peace: from the Oslo Accord to a Final Agreement*. London UK, Weidenfeld and Nicolson. p.62

³² Clinton, W.J. (1993). Remarks on the Israeli-Palestinian agreement and an Exchange with Reporters in Cleveland, Ohio, 9 September 1993. *Public Papers - President Clinton, 1993*. Clinton said: 'We were made aware in the most general terms of what was happening in Norway, but we didn't know a lot of the details'. p.1457

³³ Savir (1998). *The Process*, p.66

³⁴ Beilin. *Touching Peace*. He records: 'Later, when the Americans analysed the conversation, they wondered what that gesture at the beginning of August had meant: did Rabin think that nothing real could be achieved in Oslo, or was he reluctant at this stage to involve the Americans further by telling them more than he believed they already knew? When I asked Rabin about this months later, he responded with precisely the same gesture and said: 'What does it matter now?'' pp.114-5

the Palestinians for informing the Egyptians.³⁵ Rabin's apparent dissimulation may well have been due to a number of factors: a desire to keep details of progress at Oslo secret; the convenience of the Washington track as a cover for the discussions in Norway; a disinclination to jeopardise the Washington talks because they offered a fall-back position should the Oslo negotiations fail; and a prospect that Israel could threaten the Palestinians with a return to Washington if the Oslo rounds got stuck.

The Palestinians confided in the Egyptians, and the Egyptian foreign minister informed the US ambassador in Cairo. Washington's reaction was such as to discourage any further attempt to pass on information received from Egyptian sources.³⁶ The Norwegians also tried to apprise the American Administration of developments. Yossi Beilin states that, when Norway's deputy foreign minister, Jan Egland, applied to travel to America to brief the State Department on progress, he was asked not to go and contented himself with regular conversations with an official in Washington over the American Embassy's secure telephone lines.³⁷ The question remains why a country which had learned of the backchannel from diverse and friendly sources, and which possesses a sophisticated intelligence capability, should have been so ill-prepared for the Oslo outcome. It is possible that Rabin had put Christopher off the scent, and that Washington was inclined to view Norwegian advice as somewhat self-serving. More weight might be given to America's proprietary view of the Madrid process, its attachment to Washington as the locus of negotiations, and to the newly-installed Clinton Administration's preoccupation with an attempt to reinvigorate the process.

Although the Clinton Administration had been excluded from the Oslo talks, the imprimatur of the world's superpower was highly valued by both parties. During the negotiation, the Israelis and Palestinians had discussed the possibility of providing the Americans with the text of their Declaration which the United States would, in turn, present as a final American proposal to both parties at Washington, but the content of the document was published on the

³⁵ Abbas. *Through Secret Channels*, p.194

³⁶ Interview in Washington DC on 26 March 2001

³⁷ Beilin. *Touching Peace*, pp.79, 120

same day that Christopher was apprised of the Oslo breakthrough.³⁸ The two parties had hoped that such a ploy would ameliorate criticism from within their own constituencies.³⁹ In effect, they were seeking to hide behind a fictitious display of American power, but the story having been uncovered before the scenario could be played out, both sides had to face their critics.

So remote were the Americans from the detail of the Oslo negotiations that Peres was fearful of an adverse reaction when on 29 August 1993 he presented Christopher not only with an initialled document but also a proposal for mutual recognition between Israel and the PLO.⁴⁰ The Administration was quick to acknowledge the historic significance of the two propositions, and the president agreed to host a signing ceremony at the White House.

Clinton responded promptly to these changed circumstances, which required amendment to American diplomatic practice in exchange for certain guarantees from the PLO. Reception of the PLO and its chairman, Yasser Arafat, at the White House would convey a more formal level of recognition than had been conferred by ambassadorial contact in Tunis in 1988-89. Israel had acted in early 1993 to end legal sanctions against Israelis who might talk to PLO officials. Comparable action would be required from the Americans. An imperative precondition imposed by the United States was that Arafat disassociate his movement from terrorist groups outside the PLO.⁴¹ That was achieved on 7 September when the PLO Executive Committee in effect voided the provision within the Palestinian National Covenant that had called for Israel's extinction; and it opened the way for an exchange of letters between the Israeli prime minister and Arafat establishing formal mutual recognition.⁴² On 13 September 1993, the Declaration of Principles was executed at the

³⁸ Abbas. *Through Secret Channels*, p.194

³⁹ Heikal. *Secret Channels*, p.455

⁴⁰ Savir (1998). *The Process*, pp.66-7

⁴¹ Clinton, W.J. (1993). Remarks on the Israeli-Palestinian agreement and an Exchange with Reporters in Cleveland, Ohio, 9 September 1993. *Public Papers - President Clinton, 1993*. Clinton said: 'If the PLO's statement today meets the criteria we have repeatedly set down, renouncing terrorism, acknowledging Israel's right to exist, those things, then we will resume our dialogue with them and then we'll go forward from there'. p.1457

⁴² Savir (1998). *The Process*, cites the reply from Prime Minister Rabin to Chairman Arafat: 'Mr Chairman, In response to your letter of September 9, 1993, I wish to confirm to you that, in the light of the PLO commitments included in your letter, the Government of Israel has decided to recognize the PLO as the representative of the Palestinian people and commence negotiations with the PLO within the Middle East peace process.' p.77

White House; and President Clinton brought Rabin and Arafat together to pose for an historic handshake.⁴³

Clinton was quick to reposition the United States at the centre of what seemed like a winning proposal and to capitalise on the publicity afforded by the White House signing. He threw the weight of his Administration behind the accord, and mobilised international assistance for the Palestinians, but not before extracting further assurances from Arafat. Speaking at the signing ceremony, Clinton pledged America's support 'to implement the difficult details that will make real the principles'⁴⁴ contained in the Declaration, endorsing in principle the creation of a Palestinian Interim Self-Government Authority and an elected Council for the Palestinian people. Clinton's commitment to 'make real the principles' and determination to help make a Palestinian Authority (PA) work was, however, heavily qualified. He made it clear to Arafat that he was

prepared to take a lead in trying to organise the finances necessary to carry this through and to try to build the political support for it but that it was imperative that he [Arafat] honour the commitments made to Israel's security, to denouncing terrorism, [and] to assuming responsibility within the areas of self-government for maintaining law and order.⁴⁵

Arafat, basking in the glory of a White House reception, had no reason to demur. He had already denounced terrorism under American pressure, his executive was no longer committed to the extinction of Israel, and he looked forward to Palestinian statehood.

The president had more in mind than reminding Arafat that financial assistance would be dependent upon observance of such factors. He used America's undertaking to convey an important message to the Arab and Islamic world 'that the United States and all of the nations which help us...are prepared to work with and support Islamic nations as long as they are willing to adhere to the international rules governing human rights and peace and

⁴³ Clinton, H.R. (2003). *Living History*. New York NY, Simon & Schuster. The media handshake was not entirely spontaneous. Mrs Clinton recalls her husband rehearsing it with Rabin. p.185

⁴⁴ Clinton, W.J. (1993). Remarks at the Signing Ceremony for the Israeli-Palestinian Declaration of Principles, 13 September 1993. *Public Papers - President Clinton, 1993*, p.1476

⁴⁵ Clinton, W.J. (1993). Interview with the Israeli news media on the Middle East peace process, 13 September 1993. *Public Papers - President Clinton, 1993*, p.1480

democracy'.⁴⁶ He believed that, in offering the Palestinian people the chance of a normal life, the peace process would contribute to the removal of 'one of the great causes of fundamentalism and political extremism'.⁴⁷

One week after the signing of the Declaration, Christopher announced that America and Russia would convene a Conference to Support Middle East Peace.⁴⁸ On 1 October, representatives from some 43 foreign governments, the World Bank and other international organisations met at the State Department and pledged more than \$600 million to meet the immediate needs of the Palestinians, and over \$2 billion over the following five years to help establish Palestinian self-government.⁴⁹ The need for international assistance had been foreshadowed,⁵⁰ and the World Bank had been commissioned by the European Community to estimate the resources that would be required to start the building of an economic base in Gaza and the West Bank. The Bank's initial estimate was that \$3 billion would be needed over ten years.⁵¹ Arafat's advisers had estimated that \$11 billion would be needed in the first three years.⁵² The participants also agreed to encourage trade and private investment through export financing programs and investment incentives.⁵³ While the United States had initially found it difficult to get the Israelis to treat with the Palestinians, it was able quickly to mobilise rewards. In the space of 33 days since the secretary of state had been informed of the Oslo accord, the former

⁴⁶ Ibid. p.1479

⁴⁷ Ibid. p.1479

⁴⁸ Christopher, W. (1993). "Building peace in the Middle East - 20 September 1993." *US Department of State Dispatch* Vol.4 No.39. p.655

⁴⁹ Clinton, W.J. (1993). Remarks and an Exchange with Reporters on the Middle East peace process, 1 October 1993. *Public Papers - President Clinton, 1993*, p.1643; Djerejian, E.P. (1993). "War and Peace: the problems and prospects of American diplomacy in the Middle East - 30 November 1993." *US Department of State Dispatch* Vol.4 No.51 p.876; Savir (1998). *The Process*, records the amount pledged as over \$3 billion in grants and loans, primarily from the United States, the European Union and Japan. p.82

⁵⁰ Djerejian, E.P. (1993). "Statement before the Senate Foreign Relations Committee - 15 October 1993." *US Department of State Dispatch* Vol.4 No.43. He attributes the Multilateral Steering Group as having anticipated this as early as July 1993 p.746

⁵¹ Christopher (1993). "Building peace in the Middle East", p.655; Clinton, W.J. (1994). Interview on CNN's 'Global Forum with President Clinton', 3 May 1994. *Public Papers - President Clinton, 1994*. Clinton conceded that it would take more than \$2 billion to construct a successful economy in Gaza and Jericho. p.827

⁵² Heikal. *Secret Channels*. The World Bank would establish a trust fund to finance technical assistance and training for Palestinians, and identify regional infrastructure projects that would facilitate the economic integration of the West Bank and Gaza with their neighbours. King Fahd reportedly told Arafat that the idea of all aid being channelled through a trust fund was Saudi Arabia's in order to ensure that it was spent appropriately. p.525

⁵³ US Department of State (1993). Statement. *Conference to Support Middle East Peace*, 1 October 1993. *US Department of State Dispatch* Vol.4 No.41 pp.695-6

outcast, Yasser Arafat, had been received by the President of the United States at the White House, the PLO had been accorded American recognition, and much-needed international assistance had been pledged for the benefit of the Palestinian people.

If Clinton envisaged the employment of American power to help realise the Declaration, what would this mean in practice?⁵⁴ The Declaration was opaque on a number of significant matters, including two elements that related to the occupied territory to be transferred to the Palestinians, and the responsibility of the Palestinian police force. The former is stated to 'cover West Bank and Gaza territory, except for issues that will be negotiated in the permanent status negotiations' like Jerusalem, settlements, and borders.⁵⁵ Nowhere does the Declaration state the total amount of territory to be transferred to the Palestinians or the timetable for further transfers of territory beyond an initial disposition of Gaza and Jericho. The provision relating to the Palestinian police places upon them the obligation to 'guarantee public order and internal security for...the West Bank and the Gaza Strip'.⁵⁶ The Palestinian police were, in effect, to be co-opted as an agency of Israel's security apparatus, obliged to act as guarantor of Israel's internal security from its most vulnerable quarter.⁵⁷ There was much else that would be left to negotiation under an Interim Agreement.⁵⁸ The emotional question of the right of return of Palestinian refugees would be deferred to the permanent status

⁵⁴ In broad terms it would mean pursuit of a peace settlement according to the timetable set out in the Declaration of Principles. By 13 December 1993 an agreement was to be concluded on Israel's withdrawal from Gaza and Jericho and the withdrawal begun; the withdrawal should be completed by 13 April 1994 when a five-year transitional period should begin. The transitional period would comprise an interim period, and permanent status negotiations must commence not later than the beginning of the third year of the interim period (i.e. by 13 April 1996). By 13 July 1994 a Palestinian police force should have been established, the Israel Defence Force redeployed in the West Bank and Gaza outside of populated areas, and elections held for a Palestinian legislative council. The president's commitment would also mean support for the creation of a Palestinian Authority, which would become a principal actor in the peace process

⁵⁵ "Declaration of Principles on Interim Self-Government Arrangements, 13 September 1993" Articles IV and V(3). <http://www.mfa.gov.il/mfa/go.asp?MEAH00q00> - 5 June 2000

⁵⁶ Ibid. Art.VIII

⁵⁷ Khalidi, R.I. (1996). "Reflections on the Peace Process and a Durable Settlement: a roundup of views." *Journal of Palestine Studies* Vol.XXVI No.1 (Autumn 1996). Khalidi describes as the 'core' of the Oslo process 'a deal whereby the [PLO] got political-military control over the Palestinian population centers (except Jerusalem) in exchange for *actively assisting* the preservation of Israel's security'. p.9

⁵⁸ "Declaration of Principles on Interim Self-Government Arrangements." Art.VII

negotiations, along with that of the future status of Jerusalem.⁵⁹ It was envisaged that the Palestinian Authority's writ would be limited initially to 'education and culture, health, social welfare, direct taxation, and tourism'.⁶⁰

The allocation of responsibility for Palestinian health, education and welfare to a Palestinian Authority presented little problem for the United States. The Administration seems not to have been particularly concerned about the lack of specificity in the Declaration about the more contentious issues,⁶¹ apparently content to rest on the Declaration's provision that the two parties would address these matters in the permanent status negotiation. Such was the general euphoria surrounding the conclusion of the first agreement between Israel and the Palestinians, that there was an expectation that the parties would have little difficulty in moving to the next stage by 13 December.⁶² The step-by-step process that underpinned the whole negotiation was designed to foster a sufficient measure of trust and cooperation between the parties that a resolution of the more intractable issues could be tackled in a more benign atmosphere at the end of the process. Despite Israel's settlements policy, the Administration did not act to forestall developments that could adversely affect the process in the interim. Further construction would change the situation on the ground and complicate the resolution of the question of territory. It would have been possible for the president to have expressed a hope that nothing would be done by either party that would make more difficult a resolution of the permanent status issues, but he did not do it.

A crisis in Palestinian fortunes, including the PLO's deteriorating financial situation,⁶³ had brought it to the negotiating table; and the imbalance of power between Israel and the Palestinians had determined the nature of their agreement.⁶⁴ Arafat had taken a close interest in the drafting of the

⁵⁹ Ibid. Art.V(3)

⁶⁰ Ibid. Art.VI(2)

⁶¹ Neither Clinton's autobiography, nor Ross's inside history of the peace making process mentions this matter.

⁶² Ross, D.B. (2004). *The Missing Peace*, p.122

⁶³ Heikal. *Secret Channels*, p.463

⁶⁴ Ibid. After listening devices were discovered in the residence and office of the PLO's Ambassador to Tunisia, it was clear to the PLO that the Israelis must have known everything about the organization's internal splits and the gravity of its financial situation. p.469

Declaration,⁶⁵ but seems never really to have understood the implications of the Oslo process or the detail.⁶⁶ He placed his faith in its leading toward recognition of the PLO, which it did, and subsequently toward realisation of a vision of Palestinian statehood. As Art.VIII on the Palestinian police shows, his understanding of the obligations of statehood was fuzzy.⁶⁷ With so many critical issues left for decision, the Declaration of Principles was little more than a signed undertaking to negotiate. It is hard to read more into Clinton's commitment to its realisation than a pledge to facilitate those negotiations.

Post-Oslo negotiations

The environment during the last quarter of 1993 seemed to the Americans, as facilitator, to augur well for success. The Administration was encouraged that both the Israeli and Palestinian leaderships had received convincing, though not overwhelming, endorsement of the Declaration from their respective legislatures.⁶⁸ Both sides contained a minority that strongly rejected its central proposition that an independent Palestinian entity of some kind should be created alongside Israel. The leaderships' first task was to give effect to the Israeli withdrawal from Gaza and Jericho. When Arafat and Rabin met to discuss the matter it became clear that the Declaration's imprecision provided ground for divergent interpretations. Arafat asked the American and Russian governments to intercede with Rabin, but neither was prepared to intervene unless requested to do so by both parties. They argued that it was natural that disagreements should arise during the process of turning a vague agreement into something workable.⁶⁹ The Administration shored up its position with the Russians, for it was possible that Arafat could have turned

⁶⁵ Beilin. *Touching Peace*. The Israelis had seen Arafat's minutes in the margins of the draft Declaration. p.102

⁶⁶ Some allowance should be made for strained relations between Arafat and Abbas (Abu Mazen) at that time. Abbas. *Through Secret Channels*, describes Arafat as having become obsessed with the proposed initial Israeli withdrawal from Gaza and Jericho. 'He no longer paid any attention to the issues of the Declaration'. p.201; Heikal. *Secret Channels*, says that Abbas was angered by the sudden concessions made by Arafat in the final stages without consultation. p.462

⁶⁷ Interview with Ambassador Dennis B. Ross in Washington DC on 20 April 2001. This conclusion was discussed with Ross, in whose view Arafat had never shown that he understood what was meant by a two-state solution.

⁶⁸ Beilin. *Touching Peace*. Sixty per cent of the 107 members of the Palestine National Council present supported the Oslo Accords p.143; Shlaim (2000). *The Iron Wall*. The Knesset approved the Accords by 61 votes to 50, with nine abstentions. p.521

⁶⁹ Heikal. *Secret Channels*, p.472

to Russia for support against America's established commitment to Israel, thus recreating a Cold War-like divide between the co-sponsors of the peace process. As the Israelis and Palestinians sorted out their differences, support for the Oslo accord in the occupied territories fell from 68 per cent in September 1993 to 44 per cent in January 1994.⁷⁰ An agreement on the 'redeployment' of Israeli troops from Gaza and Jericho was initialled at Cairo on 9 February,⁷¹ and signed, after further elaboration on 4 May 1994.⁷² The Cairo Agreement started the clock on the five-year transitional period envisaged in the Oslo accord and provided for final status talks to begin no later than May 1996, with 4 May 1999 as the envisaged end of the transitional period.⁷³

The Administration had to intercede to keep implementation of the process moving after an Israeli settler, Baruch Goldstein, tried to derail it by massacring Muslim worshippers at Hebron on 25 February. The attempt was timed to block the withdrawal from Gaza and Jericho, which was planned to begin on 17 March, and to inflame religious feeling.⁷⁴ An immediate attempt to have the UN Security Council condemn the settler's murderous rampage was delayed by Washington and not adopted until 18 March. Clinton and Christopher telephoned Arafat urging that the assassin not be allowed to stop the peace process, Christopher telling Arafat that a Security Council resolution would complicate matters.⁷⁵ The direct call from the President of the United States impressed Arafat and Clinton's influence was evident in a statement issued by Arafat's Fatah faction a few hours after the attack: 'The negotiations with the Israelis are not suspended: on the contrary these acts demonstrate the urgency of peace'.⁷⁶ It was immediately obvious that PLO headquarters was

⁷⁰ Ibid. p.484

⁷¹ Shlaim (2000). *The Iron Wall*, p.524

⁷² Heikal. *Secret Channels*, pp.516-7

⁷³ Quandt (2001). *Peace Process*, pp.329-30

⁷⁴ Heikal. *Secret Channels*. Baruch Goldstein chose the Mosque of Ibrahim, built over the burial place of the religious messenger of monotheism. The site is celebrated in Judaism as the Tomb of the Patriarchs. The assailant shot over thirty Muslim worshippers at prayer during the holy month of Ramadan. Israeli officials found 39 bodies when they arrived, but some casualties had been rushed to hospital beforehand. The Palestinian count was 52 dead and 70 injured. pp 492-507; UN Security Council Resolution 904 states in its first operative paragraph that 'the massacre in Hebron and its aftermath...took the lives of more than fifty Palestinian civilians and injured several hundred others'.

⁷⁵ Heikal. *Secret Channels*, p.497

⁷⁶ Ibid. p.495

out of step with Arab capitals, which were issuing verbal attacks on Israel. Egypt, mediator of the Cairo Agreement, denounced Israel in harsh language⁷⁷ and the PLO Executive Committee reversed Arafat's decision. By the time the Security Council acted, nearly three weeks after the massacre, all the Arab parties principal had suspended their participation in the Washington talks. Agreement was eventually reached on the resumption of negotiations and the temporary deployment to Hebron of an observer force from Norway, Denmark and Italy.⁷⁸

From an American perspective it was paramount that the Oslo process, which offered the only prospect of a peaceful settlement, be preserved and that negotiations be resumed within its framework. There were three options available to the Administration if the UN Security Council were to be prevented from adopting a resolution inimical to the peace process. It could persuade other members to address the matter in terms acceptable to it, if necessary by threatening use of the US veto to effect changes to any draft resolution to ensure that the final document accommodated American interests; or persuade members of the Council to adopt a non-binding presidential statement in lieu of a resolution, again possibly by threatening to use its veto; or, as a last resort, prevent the adoption of a resolution by the exercise of its veto. On this occasion, the United States was able to persuade the Security Council to condemn the massacre without holding the Israeli government accountable. Chastisement of Israel was confined to the less-weighty preambular portion, while the operative paragraphs focussed on a resumption of bilateral negotiations.⁷⁹

On 6 April, hours after the completion of the Muslim 40-day period of mourning, a Hamas activist from Gaza detonated a suicide bomb in Israel, killing eight and injuring 42 people. The Administration demanded that Arafat condemn the incident. He agreed to comply on condition that the Israeli government condemn any future killings of Palestinians by Israeli settlers. The

⁷⁷ Ibid. p.495

⁷⁸ Ibid. p.505. The population of Hebron was estimated to include 120,000 Palestinians and about 400 Jewish settlers.

⁷⁹ UN Security Council Resolution 904 was adopted 18 March 1994 as a whole without a vote, following a paragraph-by-paragraph vote. The United States abstained on the first and sixth preambular paragraphs, the latter affirming the applicability of the Fourth Geneva Convention to the territories occupied by Israel in June 1967, 'including Jerusalem'.

demand put Arafat in an awkward position, and he hesitated. He knew that the bombing would be regarded by Palestinians as justified retribution for the massacre at Hebron. The Israeli government responded to his hesitation by sealing the routes that Palestinian commuters normally used to travel to their regular jobs in Israel.⁸⁰ The blockade was to become 'an economic fact of life in the West Bank and Gaza, a permanent system that...introduced a host of new and intractable problems into an already weakened and structurally distorted economy'.⁸¹

Terrorism/insurgency was one of the major United States interests discussed in chapter 2. It was a phenomenon that was to bedevil the peace process, affecting relations between Israel and both the Palestinians and Syria. For the Palestinians, a culture of terror and violence, developed over the preceding decades, was seen as a legitimate tool to force the world to pay attention to the Palestinians and to address their grievances.⁸² They saw themselves as victims because Israel 'had taken by force what had been theirs, and...kept them under occupation'.⁸³ Being victims, they became attracted to those who might stand up to and threaten Israel or its benefactor.⁸⁴ The 1987 *intifada* was recognised by America's envoy to the Middle East, Dennis Ross,⁸⁵ as 'an expression of Palestinian frustration and anger...[T]he Palestinians felt degraded and humiliated under occupation. Israeli actions to try to prevent Palestinian acts of terror...deepened Palestinian resentment, and fostered their sense of victimisation'.⁸⁶ For Clinton, terrorism was a global scourge that had impacted upon American interests at home and abroad. In his concluding days in office the president identified possible collusion among terrorists, narco-traffickers and organised criminals 'with smaller and more difficult to detect weapons of mass destruction and powerful traditional

⁸⁰ Heikal. *Secret Channels*, pp.505-7

⁸¹ Roy, S. (1998). *The Palestinian Economy and the Oslo Process: decline and fragmentation*. Abu Dhabi UAE, The Emirates Center for Strategic Studies and Research. p.2

⁸² Ross, D.B. (2004). *The Missing Peace*, p.38

⁸³ Ibid. p.42

⁸⁴ Ibid. p.42

⁸⁵ Dennis B. Ross worked within the Bush and Clinton Administrations on the Arab-Israeli peace process from 1988 to 2000. He has described himself as 'the architect of our policy toward the Arab-Israeli conflict in the first Bush administration and the lead negotiator in the Arab-Israeli peace process throughout the Clinton presidency'. Ibid. p.7

⁸⁶ Ibid. pp.42-3

weapons'⁸⁷ as the main security threat to his country in the twenty-first century. Throughout his engagement in the search for a resolution of the Arab-Israel dispute Clinton recognised the capacity of terrorists to frustrate and inhibit progress and urged Arafat and Assad to clamp down on terrorist activity undertaken or sponsored by actors within their spheres of responsibility.

Ross has recorded that

Arafat seemed unwilling or incapable of controlling the extremists who were determined to wage terror against the Israelis. When I would confront him with the need for him to take action, he sought instead to have it both ways, promising to co-opt or divide the groups rather than confront them directly. He would whisper that he was succeeding in splitting these groups, but there was no sign of their loss or power. During the fall of 1994, I took a tougher line with him, making it clear that we could not support the PA if it would not fight terror.⁸⁸

The Hebron 'exchange' was significant for its violence, and illustrative also of the havoc retributive closures were to wreak on the 'Palestinian' economy. It was only one of many acts initiated by Arab and Jewish opponents of the peace process directed at both the other party and the leaderships of their own communities.⁸⁹ Rabin was to be assassinated by an Israeli in November 1995 for his peace policies. Arafat, too, faced a crisis of public confidence.⁹⁰ A significant challenge for Clinton became that of encouraging movement toward the objective of an Israel-Palestinian settlement in the context of growing public dismay, disillusion, and distrust occasioned by terrorist activity and retributive action. Israelis and Palestinians were both at fault. Islamist Palestinians played a major part in organising and perpetrating Palestinian violence. Israeli retribution caused economic and social hardship and discontent in the occupied territories, which aided the recruitment of activists and insurgent 'martyrs'. The Administration urged the Israelis to

⁸⁷ Clinton, W.J. (2004). *My Life*, p.890

⁸⁸ Ross, D.B. (2004). *The Missing Peace*, p.190

⁸⁹ Shlaim (2000). *The Iron Wall*. Rabin was accused by some Israelis of grovelling before foreign statesmen, of having no mandate for his policies because his majority in the parliament depended on non-Jewish Knesset members, and Binyamin Netanyahu compared his actions with those of Neville Chamberlain in appeasing Hitler. pp.551,521

⁹⁰ Heikal. *Secret Channels*. Arafat was charged with having over-estimated the authority of the United States in the post-Soviet Union world order, leading to unnecessary retreats. p.511; Ma'oz, M. (1996). "Reflections on the Peace Process and a Durable Settlement: a roundup of views." *Journal of Palestine Studies* Vol XXVI No.1 (Autumn 1996). In his view 'Israel ... has greatly benefited from the agreements with the PLO: signing a peace treaty with Jordan, establishing relations with other Arab nations in North Africa and the Gulf, and attracting large international investments'. p.14

honour their commitment to an initial transfer of territory to the Palestinians and both sides to press ahead with negotiations on the application of the principles of the Declaration to other parts of the West Bank. The Palestinian leadership shared the Administration's interest in seeing the Declaration implemented: it was important that the Oslo formula of 'Gaza first' should not be allowed to turn into 'Gaza last'.⁹¹

The Palestinian Authority

Congressional authority to participate in Palestinian institution-building was conferred by a presidential waiver to the Middle East Peace Facilitation Act (MEPFA) of 1993, but was dependent upon the Palestinians honouring specified commitments. Prohibition against the use of US funds for assistance to the PLO (and, later, the Palestinian Authority) could be waived if the president was satisfied that it was in the national interest to do so, and that the PLO was abiding by its undertakings. The State Department was required to report to the Congress on Palestinian compliance. The Administration used this provision to pressure Arafat to abide by his commitments to Israel.⁹²

The Administration's concern about Palestinian terrorism necessarily transferred to an interest in the development of Palestinian security forces. The establishment of 'a strong police force' is one of the provisions of the Declaration.⁹³ Although the size of the force is established by various agreements between the Israelis and Palestinians, its limits have not been observed by the Palestinian Authority, Israel or the Palestinian Authority's various international sponsors.⁹⁴ If America hoped that international sponsorship would help create a conventional police force, its hope was misplaced. The Palestinian Authority spawned a complex network of

⁹¹ Savir (1998). *The Process*. He cites a senior Palestinian delegate as expressing Arafat's concern on this score. p.158

⁹² Peace Now (1995). *The Middle East Peace Facilitation Act of 1995: policy recommendations to the 104th Congress*. Peace Now. p.1
<http://www.peacenow.org/news/docs/mepfabrf.htm> - 20 March 2003

⁹³ "Declaration of Principles on Interim Self-Government Arrangements." Art.VIII

⁹⁴ Usher, G. (1996). "The Politics of Internal Security: the PA's new intelligence services." *Journal of Palestine Studies* Vol.XXV No.2 (Winter 1996). p.22; Christopher, W. (1995). "A Common Strategy for Economic Growth in the West Bank and Gaza Strip - 29 September 1995." *US Department of State Dispatch* Vol.6 No.41. The United States supported the development of a professional Palestinian police force through the provision of police vehicles, while Egypt and Jordan provided police training, and Norway and Saudi Arabia and others funded police salaries. p.725

'anywhere from four to nine PA intelligence forces',⁹⁵ depending on how they are classified. The array gave Arafat enormous scope for political patronage. The absence of a clear chain of command entrenched power in his hands, and the proliferation of forces enabled him to exert authority through any one agency while portraying a softer approach through another. The latter facility

has been especially valuable vis-à-vis the Islamists. Arafat cannot...keep the Islamists in line with his enormous powers of financial and political patronage, for the Islamists are not and never have been dependent on him. Hamas in particular represents a mass, indigenous, and authentic political constituency in the occupied territories by virtue of having its own finances, structures, organisation, and, above all, ideology. It is because Hamas represents a genuinely independent force outside the PA's sway that it is perceived as the main internal threat, the most difficult of all Arafat's internal and external oppositions to "tame".⁹⁶

In order to help constrain the violence, Clinton issued Executive Order 12947 of 23 January 1995 'Prohibiting Transactions with Terrorists who Threaten to Disrupt the Middle East Peace Process', which lists Hamas.⁹⁷ By January 1995 some 95 Israelis had been killed since the Gaza-Jericho withdrawals and the Israeli Government was under considerable domestic pressure to demonstrate the value of the Oslo process. The majority of Israelis now thought that Israel should reinforce its military capabilities rather than pursue peace.⁹⁸ Over the preceding months Rabin had applied punitive measures to impress upon the Palestinian leadership the need to restrain the Hamas and Islamic Jihad militants operating from the Gaza Strip.⁹⁹ The newly installed Palestinian police did make arrests and on one occasion used live

⁹⁵ Usher (1996). "The Politics of Internal Security" p.23-4; Abu Amr, Z. (2002). Political Reform: prospects and obstacles. *Reforming the Palestinian Authority: requirements for change*. D. B. Ross. Washington DC, The Washington Institute for Near East Policy. Abu Amr pointed out that it was the Palestinian Legislative Council, not the United States or Israel, that first called for a reduction in the number of security services. p.17

⁹⁶ Usher (1996). "The Politics of Internal Security" p.30

⁹⁷ Clinton, W.J. (1995). Message to the Congress on Terrorists who Threaten to Disrupt the Middle East Peace Process, 23 January 1995. *Public Papers - President Clinton, 1995*, pp.74-5; Pelletreau Jr, R. H. (1995). "Statement before the House International Relations Committee, 2 August 1995." *US Department of State Vol.6 No.33* p.639

⁹⁸ Heikal (1996). *Secret Channels*, pp.538-9

⁹⁹ Usher (1996). "The Politics of Internal Security." There were major differences between the Palestinian security forces over how best to deal with Hamas, which was seen by some as Islamist patriots who could only be won over to self-rule through dialogue and political co-option. Others saw Hamas as an 'agent' of foreign powers bent on wrecking the Oslo process. In September 1995 Hamas concluded a 'draft agreement' with the Palestinian Authority to cease all military actions in and from the PA areas, and to respect all agreements reached between the PLO and Israel. pp.30-1

ammunition to control rioting, which led to their being compared unfavourably with Israeli forces by their own community.

Unable to prise enough money out of the World Bank trust fund to meet the salaries of the nascent Palestinian civil service,¹⁰⁰ and hurt by defections from the PLO executive committee,¹⁰¹ Arafat faced an increasingly uncomfortable situation.¹⁰² Between the end of 1992 and the end of 1996, real GNP in the Gaza Strip and West Bank fell 18.4 per cent, primarily due to the loss of employment in Israel and reduced trade flows that resulted from the closure of the border.¹⁰³ Talk of civil war was no longer fanciful, and Peres had to intercede with Rabin to make some conciliatory gestures.¹⁰⁴ Clinton summed-up the situation as the toughest issue he faced between the Israelis and the Palestinians.

When the borders were open, it made Israel more vulnerable to terrorism. When innocent people are killed, it undermines support in Israel for the peace process and weakens the government's ability to go forward. When the borders are closed, the incomes of the Palestinian people drop dramatically, and it makes young people more vulnerable to the appeals of the terrorists.¹⁰⁵

Convinced of the ameliorative effect of economic development in the Palestinian territories,¹⁰⁶ and of the role of free enterprise as the engine of long-term economic development,¹⁰⁷ the Administration made arrangements for another international conference to commit additional economic assistance to the Palestinians. It also initiated discussion with Israeli and Palestinian

¹⁰⁰ Heikal. *Secret Channels*, p.532; Brynen, R. (1996). "International Aid to the West Bank and Gaza: a primer." *Journal of Palestine Studies* Vol. XXV No.2 (Winter 1996). Total pledges for 1994 and 1995 amounted to \$1,562 million, of which about half was disbursed over the two years. p.48; Christopher, W. (1995). "Remarks following a meeting at Palestinian Authority Headquarters, Gaza City - 10 March 1995." *US Department of State Dispatch* Vol.6 No.14. He said that 'we will be making a push with our partners to see that previous pledges are paid, if they are unfulfilled, and that new commitments are made to assist the Palestinian Authority'. p.265

¹⁰¹ Heikal. *Secret Channels*, p.537. Four members had resigned in protest against the signing of the Declaration of Principles in September 1993, only six members agreed to go to Gaza, and the majority stayed out.

¹⁰² Morris. *Righteous Victims*. 'Rabin understood that only giving the Palestinians more, and quickly, would reduce the number of terrorists, by reducing the motivation to join them'. p.626

¹⁰³ Roy (1998). *The Palestinian Economy*, p.29

¹⁰⁴ Heikal. *Secret Channels*, p.536

¹⁰⁵ Clinton, W.J. (1995). The President's News Conference, 5 April 1995. *Public Papers - President Clinton, 1995*, p.468

¹⁰⁶ Christopher (1995). "Common Strategy for Economic Growth." He said that 'we must help the Palestinians create the jobs and economic opportunities that will broaden the constituency for a lasting peace'. p.725

¹⁰⁷ Pelletreau (1995). "Statement, 2 August 1995", p.638

officials about the granting of reciprocal duty-free status for products manufactured in the West Bank and Gaza. By August 1995 the House International Relations Committee was being given details of expenditure under MEPFA on job creation projects, infrastructure development, start-up costs for the Palestinian Authority, housing, and industrial zones in Palestinian territory to attract new investment and generate rapid job growth.

The Administration's ability to buttress the peace negotiations with economic and technical assistance to the Palestinians was hampered, however, by congressional attitudes, and differences between governmental officials. The State Department, looking for early results, often complained about the slowness of USAID programmes in the territories, while USAID complained that the programme was being diverted from meaningful development objectives. USAID was constrained by a prohibition on direct US assistance to the Palestinian Authority: its projects in the West Bank and Gaza having to be contracted out to non-governmental agencies. The subcontractors often initially underestimated the political and economic difficulties that lay ahead. Congressional suspicion of the Palestinians meant periodic congressional review of the assistance programme, making the USAID budget a battleground for those critical of foreign aid and the peace process.¹⁰⁸

Toward an Interim Agreement

Rabin and Peres met Arafat in Paris in early July 1994 and reached agreement to set up three committees: one to deal with problems left over from the Cairo Agreement of the previous May; a second to discuss the transfer of more powers under an Interim Agreement; and a third to look into refugee problems,¹⁰⁹ Israel having sidelined itself from the multilateral working group on refugees. Notwithstanding the leaders' agreement, it was evident to the Administration that popular support for the Oslo peace process was declining and the spirit of the Declaration was dissipating. Israel continued to expand its settlements in the occupied territories and increased construction in and around East Jerusalem; and it repeatedly halted, in response to Palestinian terrorist attacks, the talks on further withdrawals from the West Bank cities to which it

¹⁰⁸ Brynen, R. (1996). "Buying Peace? A critical assessment of international aid to the West Bank and Gaza." *Journal of Palestine Studies* Vol. XXV No.3 (Spring 1996). p.80

¹⁰⁹ Heikal. *Secret Channels*, p.524

was committed.¹¹⁰ In order to re-energise the process, Christopher invited his Egyptian, Israeli and Jordanian counterparts and the PLO negotiator to Washington in March 1995. They reached agreement there on a new target date of 1 July 1995 for concluding negotiations on implementation of the stalled parts of the Oslo agreement,¹¹¹ but that timetable was also to slip.

When the Israelis and Palestinians were eventually persuaded by American prodding to embark on negotiation of the Interim Agreement, they intended to do so in secret, hiding behind discussion on other aspects of disagreement that were being conducted in other places. Consistent with the approach that the Administration had pursued to that time - that the terms of any agreements were for the parties to decide - the Administration was content to stand aside, displaying more interest in proximity than in engagement. A 'hands off' approach would help to disabuse any Arab expectation that the United States could deliver Israel. Dennis Ross kept in touch with the Israeli and Palestinian negotiators on an almost daily basis and Savir records that Ross expressed his appreciation that the Israelis were solving their problems without the active intervention of the United States.¹¹² The Palestinians even urged him to reassure Arafat that things were on track.¹¹³

The Administration interceded when the parties needed America's help. The Israelis refused to declare their final position on the amount of territory that they would transfer to the Palestinians. The Palestinians expostulated that they were being asked to enter into an agreement without knowing what the outcome would be.¹¹⁴ The Administration urged Peres to ring Arafat to express impatience with the lack of progress and to invite him to a meeting to resolve the impasse. They were successful: Arafat attended a meeting with Peres at Taba on 10 August 1995; and agreement was reached on an Israeli proposal for the transfer of further security powers to the Palestinians every six months over an 18 month period, without defining the amount of territory involved in each of the three phases. At Arafat's insistence, this would be subject to the opening of a Palestinian police station in Hebron. His

¹¹⁰ Morris, *Righteous Victims*, p.627

¹¹¹ Heikal, *Secret Channels*, p.540

¹¹² Savir (1998), *The Process*, pp.204-5

¹¹³ Interview with Ambassador Dennis B. Ross at Washington DC on 20 April 2001

¹¹⁴ Savir (1998), *The Process*, p.200

qualification defused the issue by diverting the discussion from the strategically important question of territory to an issue of immediate importance to Palestinian opinion. Tension in Hebron was real and the predominant Arab community there was insisting that the Israeli Defence Force (IDF) be redeployed from Hebron as was happening in other towns to be transferred to the Palestinians. Peres secured his government's approval to the proposal.

Not only did Dennis Ross maintain close contact with the negotiating teams, but he encouraged his American compatriots to lobby Rabin and Peres. From an Israeli perspective '[t]his network of ties was to be of great importance in the final, decisive stages of the talks'.¹¹⁵ At that time, Israel's Likud opposition was encouraging its own friends within the US Congress and the American Jewish community to oppose further aid to the Palestinian Authority.¹¹⁶ To counter that, Rabin and Peres instructed the Embassy of Israel in Washington to step up a campaign in the Congress in favour of aid to the Palestinians, explaining that aid for the purpose of raising the standard of living in Gaza was part of the fight against terrorism.¹¹⁷ Concurrently, the Israeli negotiators used knowledge of the fact that the Congress was planning to publish a report on the Palestinian Authority on 1 October 1995 to put pressure on the Palestinian negotiators to conclude an agreement by that date.¹¹⁸ Savir suggested to his Palestinian counterpart that Ross be approached about a signing of an Interim Agreement in Washington on 22 September. That artificial deadline also imposed its own constraints, including a requirement that Peres and Arafat resolve some 25 difficult issues that had eluded officials.¹¹⁹

The principal issue in contention was the allocation of territory to the Palestinians. Savir has recalled that a senior Palestinian negotiator had spoken of the need to benefit from the experience at Gaza and to fight terrorism in the

¹¹⁵ Ibid. p.205

¹¹⁶ Noyes (1997). "Does Washington really support Israel?" op. cit. He records that several Likud-supporting groups vigorously questioned U.S. policy on providing aid to the Palestine Liberation Organisation (PLO) and other measures that Rabin and Peres considered vital to the peace process. p.146

¹¹⁷ Savir (1998). *The Process*, pp.205-6

¹¹⁸ Ibid. p.206

¹¹⁹ Ibid. p.228

Palestinian interest, not as something done for Israel's sake. It was in the context of mutual security that Savir attributed to him a new concept for crafting the Interim Agreement. 'He spoke of establishing three security areas in the West Bank: one under Palestinian control, one under Israeli control, and the third to be patrolled by a joint force'¹²⁰ as part of the transitional process. The delegate claimed that the concept had been discussed with Arafat.¹²¹ The Israelis only revealed the map showing their proposed allocations to the Palestinians 24 hours before the planned conclusion of the talks.¹²² Ross, who had been in telephone contact with the Israeli delegation every few hours during the final stages of the negotiations,¹²³ must have known of the Israeli tactic to produce the map at the very end of the negotiating process. When Arafat saw the proposed division, he stormed out of a meeting complaining that the Israelis wanted to destroy him by making him accept cantons.¹²⁴ Arafat and Peres both indulged in brinkmanship as they fought for their respective interests. They were able eventually to ring Christopher and Ross to inform them that the Interim Agreement had been concluded.¹²⁵

The Interim Agreement

The 'Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip', sometimes called 'Oslo II', was signed in Washington by Rabin and Arafat in the presence of President Clinton, Egypt's President Hosni Mubarak and King Hussein of Jordan on 28 September 1995. Among its principal provisions are:

- direct election of a Palestinian Legislative Council of 82 members and a *ra'is* (or head) of the executive authority by the Palestinian people of the West Bank, Jerusalem and the Gaza Strip.¹²⁶ The

¹²⁰ Ibid. pp.158-9

¹²¹ Ibid. p.159

¹²² Ibid. p.233

¹²³ Ibid. p.234

¹²⁴ Ibid. p.234

¹²⁵ Ibid. pp.233-9

¹²⁶ Aronson (1995). "Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, 28 September 1995" Art.IV *Journal of Palestine Studies* Vol.XXV No.2 (Winter 1996) pp.123-37

Council and the *ra'is* together will constitute the Palestinian Interim Self-Government Authority;¹²⁷

- the Israeli civil administration in the West Bank will be dissolved, and the Israeli military government withdrawn, after the inauguration of the Council.¹²⁸ Special arrangements were made for Hebron where IDF withdrawal will take place by 28 March 1996;
- the West Bank shall be divided into three types of areas: area A consists of Palestinian towns and urban areas; area B consists of Palestinian villages and less densely populated parts; and area C consists of the lands confiscated by Israel for settlements and roads. Area A will be placed under exclusive Palestinian control and area C under exclusive Israeli control, and in area B the Palestinians will exercise civilian authority while Israel continues to be in charge of security;
- the role of the Palestinian police in support of security is reaffirmed, with its location, size, weaponry and responsibilities spelled out in some detail;¹²⁹ and
- within two months of the inauguration of the Council the Palestine National Council will formally approve changes to those provisions of the Palestinian Covenant which deny Israel's right to exist.¹³⁰

The Interim Agreement disappointed many Israelis and Palestinians. The Israeli right could see in it the evaporation of their dream of an *Eretz Israel*. The Knesset ratified the agreement by the tight vote of 61 in favour and 59 against.¹³¹ The Palestinians acted in accordance with the agreement, electing the Palestinian Authority's executive and legislature in January 1996, and convening a meeting of the PLO's National Council in April to remove articles from the Palestine National Covenant calling for the elimination of Israel. The Council voted 504 to 54 (with 214 abstentions) to amend the

¹²⁷ Ibid. Art.III

¹²⁸ Ibid. Art.I(5)

¹²⁹ Ibid. Arts XIII and XIV

¹³⁰ Ibid. Art.XXXI(9)

¹³¹ Shlaim (2000). *The Iron Wall*, p.528

Covenant,¹³² revealing considerable scepticism about the direction of Palestinian policy.

Five weeks after the signing of the agreement, Yitzhak Rabin was murdered by a Jewish zealot who confessed that his aim was to derail the peace process. Disaffected Palestinians also took direct action. Palestinian expectations of a freer and better way of life independent of Israeli authority had not been realised. Between 1992 and 1996 real per capita GNP declined by 37 per cent in the West Bank and Gaza,¹³³ and the situation was to worsen, with 19.1 per cent of the population of the two areas living under the poverty line of \$650 per person per annum by early 1997.¹³⁴ Palestinian insurgents undertook suicide bombings in Ashkelon, Jerusalem and Tel Aviv in February and March 1996, causing 58 deaths, mostly of civilians.¹³⁵ The incidents prompted the Israeli government to postpone the March redeployment from Hebron, which was to be again deferred until after the Israeli general election scheduled for 29 May 1996.

Rabin was succeeded as prime minister by Peres, but Peres was never able to exert the same authority over the peace process as Rabin. He lacked 'Rabin's military credentials and charismatic bluntness'.¹³⁶ Peres was admired for his faith in human nature; and had been at his most successful in exploring options under the authority and resolve of Rabin. Clinton backed him, but lacking Rabin's strength of purpose, the somewhat idealistic Peres was vulnerable.

Protecting the peace process

Clinton's pledge in September 1993 to build political support for the Oslo process took him to the United Nations, where he was able initially to turn matters to America's advantage. The United States's concern to control the process launched at Madrid contradicted a UN General Assembly (UNGA) decision to convene an international conference on Palestine under UN

¹³² Morris, *Righteous Victims*, p.629

¹³³ Roy (1998). *The Palestinian Economy*, p.30

¹³⁴ Ibid. p.31 The data are attributed to World Bank and Palestinian Ministry of Economics and Trade sources.

¹³⁵ Human Rights Watch (September 1997). *Palestine self-rule areas: human rights under the Palestinian Authority*. New York NY, Human Rights Watch. p.5

¹³⁶ Albright (2003). *Madam Secretary*, p.291

auspices.¹³⁷ The 'Question of Palestine' was a perennial item on UNGA's agenda and in 1990, while the Bush Administration was floating the possibility of a Middle East peace process under its own auspices, the General Assembly directed the UN Secretary-General to continue his efforts to convene a UN peace conference. The United States had consistently placed itself in a minority opposed to this proposition, believing that the intrusion of those states that did not have a direct interest in the matter was unhelpful, especially as they were inclined to prescribe the terms of any outcome to the detriment of Israel. It wanted a monopoly on the peace process, thus guaranteeing Israel's protection during any negotiation.

The Clinton Administration saw an opportunity to muster the weight of international opinion behind the Madrid conference and to isolate irredentist states opposed to dealing with Israel. It used the United Nations to garner international support for the Madrid process, turning to its advantage the votes of an overwhelming majority of the members of the United Nations, including especially those of formerly trenchant critics of Israel within the Non-Aligned Movement and the Organisation of the Islamic Conference. After the signing of the Declaration of Principles in 1993, the US and Russian co-sponsors of the Madrid process combined with 108 other states in co-sponsoring UNGA Resolution 48/58, which expressed full support for the Declaration. It called upon 'all Member States to extend economic, financial and technical assistance to States in the [Middle East] region and to render support for the peace process'.¹³⁸ Iran, Lebanon and Syria opposed the resolution, viewing its emphasis on Israel and Palestine and neglect of their interests as partial, while Libya abstained. A similar resolution, broadened to recognise the Israel-Jordan peace treaty, was adopted in 1995¹³⁹ but attracted negative votes from these four countries principally because it did not refer to the UN Security Council resolutions on which the peace process was based or to the return of Palestinians to their country and homes.¹⁴⁰ A positive resolution was also adopted in the UN's Economic and Social Council (ECOSOC) on 29 July

¹³⁷ United Nations (1981). UN General Assembly Resolution 36/120C

¹³⁸ United Nations (1993). UN General Assembly Resolution 48/58. Operative paragraph 6.

¹³⁹ United Nations (1995). UN General Assembly Resolution 50/21

¹⁴⁰ United Nations (1995). *Yearbook of the United Nations 1995*, Vol.49. United Nations NY, p.631

1994, welcoming the World Bank's assistance to the Palestinian people.¹⁴¹ In 1995, again at the initiative of the US and Russia and other states, ECOSOC welcomed the Middle East and North Africa Economic Conference held in Casablanca in 1994 and the second Conference scheduled to be held in Amman in October 1995. Only Libya among the ECOSOC membership opposed the resolutions.

The Administration also tried to capitalise on the moment to create a clean slate for the negotiating parties, removing from consideration prescriptive formulations adopted by the United Nations, many of which favoured the Palestinian cause. Madeleine Albright, then Permanent Representative of the United States to the United Nations, wrote to the President of the General Assembly on 8 August 1994¹⁴² suggesting that 'contentious resolutions that accentuated political differences without prompting solutions should be consolidated, improved, or eliminated...[and that]...resolution language referring to 'final status' issues should be dropped, since these issues are now under negotiation by the parties themselves...These include refugees, settlements, territorial sovereignty and the status of Jerusalem'.¹⁴³ The Administration sought to avoid the constraint of established UN formulations. It hoped that other states would follow suit, but hardly dared expect that this could be achieved through a letter to the presiding officer. Were the Administration seriously inclined to bring about a substantial revision, it would have introduced a draft resolution to that effect. Its action was nevertheless self-serving, enabling it to disencumber itself from the language of resolutions on the designated subjects that the United States, and probably also Israel, had opposed over many years.

One matter caught in Albright's net was UNGA Resolution 194, adopted in 1948, whose provisions provide for the return of Palestinian refugees to their homes.¹⁴⁴ It was originally supported by the United States,

¹⁴¹ United Nations (1994). *Yearbook of the United Nations 1994*, Vol.48. United Nations NY. ECOSOC Resolution 1994/44 was adopted: 47 – 1 (Libya) p.614

¹⁴² Bennis, P. (1995). Clinton Administration Working to Ease U.N. Out of Middle East Process, *Washington Report*. <http://www.washington-report.org/backissues/0795/9507030.htm> - 15 April 2003

¹⁴³ Goodman, A. (1994). "U.S. wants U.N. Mideast Drafts to Aid Peace Process." *Reuters News*, 21 September 1994.

¹⁴⁴ United Nations (1948). UN General Assembly Resolution 194 (III). Operative paragraph 11 'Resolves that the refugees wishing to return to their homes and live at peace with their

but on reflection the Clinton Administration chose to dismiss it because the wholesale return of Arab refugees to their former homeland would place the Jewish character of Israel in jeopardy. Notwithstanding the hortatory or commendatory nature of General Assembly resolutions, they embody the weight of international opinion. Many of those in question, such as Resolution 194, provide authority and a quasi-legal basis for some Palestinian claims. Had the General Assembly supported Albright's ambit claim, they would have diminished, if not destroyed, the bases on which key Palestinian claims rested.

Albright's letter mentioned 'settlements'. The Bush Administration had made explicit in March 1990 that there should be no new Israeli settlements in the West Bank or East Jerusalem. The settlements issue was to bedevil the Clinton Administration throughout the peace process because Israeli governments, regardless of political colouration, continued building them. The issue had been reserved for consideration as a final status matter under the Declaration.

Rabin had promised Bush in August 1992 that, while some 11,000 units then under construction would be completed, no new construction beyond 1,000-2,000 housing starts a year to account for 'natural growth' would be undertaken. The \$10 billion loans guarantee was then approved, and was to continue under Clinton.¹⁴⁵ In January 1995 Rabin revealed the fine print: the commitment referred only to public monies. 'I explained to the President of the United States, George Bush...that I wouldn't forbid Jews from building privately in the area of Judea and Samaria',¹⁴⁶ as the West Bank was known to Israelis. He pointed out that the Oslo accord contained 'no explicit commitment from us to freeze settlement in the territories'. Further, Rabin told Arafat on 19 January that there would be no change in Israel's settlement

neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible'

¹⁴⁵ Clinton, W.J. (1995). Remarks to the American Israel Public Affairs Committee Policy Conference, 7 May 1995. *Public Papers - President Clinton, 1995*. He said that the loan guarantees would assist Israel absorb 600,000 emigrants from the former Soviet Union and finance infrastructure investment. p.652

¹⁴⁶ Aronson (1995). "Settlement Monitor: quarterly update." *Journal of Palestine Studies* Vol.XXIV No.3 (Spring 1995). p.128

programme.¹⁴⁷ Some 3,920 housing units were completed in the West Bank in 1995;¹⁴⁸ and work was undertaken on a national road grid for the entire West Bank whose purpose was to allow 'the army to control all the strategic sites and roads [after redeployment]. According to the plan, vehicles of Palestinian residents will not be permitted to travel on the strategic routes'.¹⁴⁹

Even if the UN General Assembly had been disposed to act upon Albright's letter, it could have no direct effect on the body of Security Council resolutions. The letter referred to 'the status of Jerusalem'. Prior to Reagan's reformulation of US policy on the question of Israeli activity in the occupied territories, the United States had supported UN Security Council Resolutions 267 (1969) and 298 (1971) dealing with the invalidity of Israeli legislative and administrative actions to change the status of Jerusalem; and Resolution 465 (1980) that determined

that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.¹⁵⁰

The Clinton Administration stuck with the Reagan formula that Israeli settlement activity in the occupied territories was a problem, rather than an issue fundamental to Palestinian concerns, and carried forward the view that

¹⁴⁷ Ibid. p.128

¹⁴⁸ Ibid. Vol.XXV No.1 (Autumn 1995). p.138

¹⁴⁹ Ibid. Vol.XXIV No.4 (Summer 1995). p.133; Ibid.Vol. XXV No.4 (Summer 1996).

'Highway 60 now lies almost entirely in area C, the area to remain under Israeli control until the final agreement. This provides an Israeli controlled corridor through the entire length of the West Bank. Where the road passes through the centre of the Palestinian towns ... (and therefore through areas A and B), the Jewish-only bypass roads are under construction, allowing in most cases for settlers to remain in area C'. p.129

¹⁵⁰ Security Council Resolution 465, adopted unanimously on 1 March 1980, operative paragraph 5; Carter, J. (1980). "President Carter's Statement Repudiating US Vote in Support of UN Security Council Resolution 465." *The Middle East and North Africa 1999*. London UK, Europa Publications Limited. President Carter issued a statement on 3 March 1980: 'The US vote in the UN was approved with the understanding that all references to Jerusalem would be deleted. The failure to communicate this clearly resulted in a vote in favour on the resolution rather than abstention'. p.123

Jerusalem, having been united under Israeli occupation since 1967, should remain undivided.¹⁵¹

It is curious that Palestinian negotiators had not insisted on the precepts of key instruments such as the Fourth Geneva Convention being incorporated into the Declaration of Principles in 1993. Israel was a signatory to the Convention, and the PLO had committed itself to it. Earlier, at the third round of the Washington talks in January 1992, the Palestinians had presented a document to the Israelis demanding an immediate halt to settlement activity and the application of the Convention to the occupied territories.¹⁵² Despite Israel's view that the West Bank was not occupied territory because Jordan had relinquished its claim, its position was logically inconsistent because it had entered into the Madrid negotiation on the basis of UN Security Council Resolution 242 that called for its withdrawal from occupied territory. During the Oslo negotiations the Palestinians had secured Israeli recognition of the West Bank and the Gaza Strip as forming 'a single territorial unit, whose integrity will be preserved'¹⁵³ and may have judged this sufficient guarantee that the Arab character of the territory would be maintained. Whatever the reason for the absence of any specific reference to the Convention, the fact that its principles were not expressed in the Declaration enabled the Administration to shelter behind the formula that such matters had been reserved for the final status negotiations.

The Administration's use of the United Nations to bolster the peace process received a setback as Israel continued building settlements. Opinion within the world body became increasingly critical of Israeli action. Some 80-85 per cent of the settlers were attracted to the occupied territories not by ideology but by material incentives such as cheap housing and a better quality of life.¹⁵⁴ By 1995, a Palestinian negotiator was complaining to the Israelis

¹⁵¹ Bush, G.H.W. (1992). The President's News Conference with Prime Minister Yitzhak Rabin of Israel, Kennebunkport, 11 August 1992. *Public Papers of the Presidents - President Bush, 1992*. Bush said that 'our policy on Jerusalem remains unchanged. It must never be divided again, and its final status must be resolved through negotiation'. p.1335; The United States's commitment to the principle of an undivided Jerusalem was expressed in the Reagan plan of 1982.

¹⁵² Mansour. "The Palestinian-Israeli Peace Negotiations", p.12

¹⁵³ "Declaration of Principles on Interim Self-Government Arrangements." Art.IV

¹⁵⁴ Shlaim (1995). "Israeli Politics and Middle East Peacemaking." *Journal of Palestine Studies* Vol. XXIV No.4 (Summer 1995) p.24

that '[y]ou thicken, add, and create [settlement] facts during the interim period that will create precedents for the final status'.¹⁵⁵ The Israeli government declared that it would not negotiate on settlements during the interim period.¹⁵⁶ The question was brought before the UN Security Council in February and May 1995 where the Administration was obliged to address it. In February France, Italy and the United Kingdom declared the Israeli activity illegal, essentially in terms of the Fourth Geneva Convention, while Russia called for restraint from acts that would prejudice an Israel-Palestinian peace settlement. The United States representative, too, sought to preserve the integrity of the Oslo process: 'it would not be productive or useful for the Council to involve itself now in a question that the parties have agreed to cover when they address permanent status issues'.¹⁵⁷ The February session adjourned without the Council taking any action. A member of the US National Security Council revealed how little the Administration appreciated Palestinian sensitivity about dispossession when he said that 'settlements are a problem...Terror is a far more immediate and a far more real problem with a direct impact on the ability of the negotiating process to move forward, but settlements do complicate negotiations'.¹⁵⁸

The Security Council's consideration of May 1995 focussed on Israel's planned land expropriations in East Jerusalem. Again America's Western allies, including Canada, spoke against the decision of the Israeli government; and China declared the draft resolution before the Council 'reasonable and appropriate...its language moderate...[and that]...it would have contributed greatly to the peace process in the Middle East, not damaged it'.¹⁵⁹ All other members of the Security Council voted in favour of the draft, but the United States vetoed it. The Administration had protected Israel on a matter of fundamental purport to the shape of any final outcome.

Jerusalem provided another complication for the Administration in February 1995 when members of the Congress urged the relocation of the Embassy of the United States from Tel Aviv to Jerusalem. Over an 11 year

¹⁵⁵ Aronson (1995). Ibid. Vol. XXIV No. 3 p.127

¹⁵⁶ Ibid. p.127

¹⁵⁷ Ibid. Vol. XXIV No. 4 p.139

¹⁵⁸ Ibid. Attributed to David Satterfield, Director, Near East and South Asia Affairs, National Security Council, 9 March 1995 p.140

¹⁵⁹ Ibid. Vol. XXV No.1 p.136

period both Houses of the Congress had passed four resolutions calling on the American government to acknowledge Jerusalem as the capital of the State of Israel.¹⁶⁰ The new move urged that planning commence for the embassy's transfer at the end of the transitional period, scheduled for May 1999. The proponents threatened to deny Clinton any funds to modernise the embassy in Tel Aviv. The Administration was able to resist the threat. Martin Indyk conveyed the president's view to the Senate Foreign Relations Committee, during his nomination hearing on appointment as ambassador to Israel, that nothing should be done to undermine or pre-empt the final status negotiations.¹⁶¹

Legitimacy of the Palestinian Authority

Clinton's pledge to assist the formation of a Palestinian Authority was conditional on adherence 'to the international rules governing human rights and peace and democracy'.¹⁶² In the same speech he had seen the peace process as contributing to the removal of 'fundamentalism and political extremism'. The legitimacy of the Authority would be critical to the peace process, imputing responsibility and accountability to Palestinian institutions. American assistance for the creation of a democratic system of governance in 'Palestine' would contribute to the realisation of Clinton's post-Cold War global vision. The Authority was to fall a long-way short of Clinton's aspiration for it.

International assistance for the transformation of the PLO into the Palestinian Authority was one of the objectives of the donors' conference convened by the United States on 1 October 1993. For its part, the Administration felt that the broader the international coalition to help mould the new Authority, the better.¹⁶³ The European Community assumed the role of the Authority's principal 'sponsor'.¹⁶⁴ The Palestinians may have welcomed

¹⁶⁰ Ibid. Vol.XXIV No.3 p.133

¹⁶¹ Ibid. p.132

¹⁶² Clinton W.J. (1993). Interview with the Arab news media on the Middle East peace process, 13 September 1993. *Public Papers - President Clinton, 1993*, p.1479

¹⁶³ Christopher (1995). "Common Strategy for Economic Growth." He said: 'Only a broad-based, coordinated effort can help the Palestinians succeed. Regional initiatives such as the Middle East Development Bank must also play a critical role in building a wider foundation for regional prosperity'. pp 725-6

¹⁶⁴ The European Community was transformed into the European Union on 1 November 1993

European involvement as a counter to America's unshakeable commitment to Israel, but in time the Europeans' participation was to introduce a complication for the Administration. It had to address the Europeans' belief that their status as the leading donor entitled them to a larger role in the peace process.¹⁶⁵

The Administration extended assistance for institution-building in the West Bank and Gaza¹⁶⁶ and 'political encouragement and critical support'¹⁶⁷ through non-governmental organisations for the first elections, held on 20 January 1996. It may have hoped that a newly elected Palestinian Authority would contribute toward an enlargement of the world's community of democratic nations. The Europeans took the lead in organising international election monitors. Former President Carter was the principal American observer. Although the monitors reported that the conduct of the elections was fair, the scope of their observation was confined to the possibility of coercion and ballot rigging.¹⁶⁸ The Administration would have known of pre-election irregularities; that the Europeans had expressed reservations about the electoral process;¹⁶⁹ and that local observers had called on 25 January for a re-vote throughout the West Bank and Gaza.¹⁷⁰ The success of Arafat's Fatah organisation also cast suspicion upon the conduct of the elections. All members of the leadership who had returned from Tunis won.¹⁷¹ The Palestinian opposition largely boycotted the elections.¹⁷²

¹⁶⁵ Brynen (1996). "Buying Peace?" p.81

¹⁶⁶ Interview with Ms Jennifer Windsor and Ms Lisa Davis, Freedom House, Washington DC, 12 April 2001. American democracy in government projects depended upon which countries USAID had active programmes in, and whether the NGO community through which it worked could submit attractive proposals in that field.

¹⁶⁷ Pelletreau Jr, R.H. (1996). "Statement before the House International Relations Committee, 12 June 1996." *US Department of State Dispatch* Vol.7 No.26 p.337; The non-governmental organisations were the National Democratic Institute and the International Republican Institute (affiliated with the major American political parties) and the International Foundation for Election Systems. The three institutions conducted a joint pre-election assessment mission in the West Bank and Gaza in August 2002 for the Palestinian elections scheduled for 2003, but which were unable to be held because of the prevailing political position.

¹⁶⁸ Aburish, S. K. (1998). *Arafat: from defender to dictator*. London UK, Bloomsbury Publishing. p.294

¹⁶⁹ Andoni, L. (1996). "The Palestinian Elections: moving toward democracy or one-party rule?" *Journal of Palestine Studies* Vol.XXV No.3 (Spring 1996). p.6

¹⁷⁰ Ibid. p.14

¹⁷¹ Ibid. Some 70 of the 88 members of the Legislative Council are affiliated with Fatah in one way or another, either as fully-fledged members or supporters, or backed by Fatah in the elections. pp.14-5

¹⁷² Shikaki, K. (1996). "The Palestinian Elections: an assessment." *Journal of Palestine Studies* Vol.XXV No.3 (Spring 1996). Two Popular Front for the Liberation of Palestine candidates were elected despite their party's boycott, as were seven Islamists close to Hamas, though only

The contest for the presidency also deserves qualification. The exit poll conducted by the eminent Palestinian political scientist, Khalil Shikaki, showed that

40 per cent of the voters...said that they wanted Arafat to have less power than the council; another 40 per cent wanted the council and Arafat to have equal power; and only 20 per cent thought that Arafat should have more power than the council.¹⁷³

Notwithstanding these reservations, Shikaki concluded from his detailed analysis of the elections that they passed four critical tests of political legitimacy.¹⁷⁴ The President of the UN Security Council issued a statement on behalf of the members of the Council on 22 January noting that 'the elections were an accurate reflection of the wishes of the Palestinian electorate'.¹⁷⁵ Over the ensuing years, grave doubts have come to be entertained about the Authority's system of governance: power has from the very beginning gravitated toward Arafat's executive authority;¹⁷⁶ no senior official has ever been held accountable for any violation of the law;¹⁷⁷ and human rights abuses have been perpetrated by the Palestinian Authority on its own people.¹⁷⁸ Arafat has often been unreceptive to the legislators' democratically formulated proposals. Far from the Palestinian Authority contributing to Clinton's global vision of a community of democracies, its embryonic electoral processes might more appropriately be acknowledged for their contribution to nation-building and peacemaking with Israel than as the start of a transition to democracy.¹⁷⁹

three of them are close to Hamas's political program as opposed to its social agenda. The boycotts were more effective in constraining the number of affiliated candidates than in reducing the number of voters from among party supporters. An exit poll shows that participation by supporters of the nationalist opposition, such as the PFLP, was close to the national average of 80 per cent, while participation by Hamas supporters reached between 60 and 70 per cent. pp.18, 20

¹⁷³ Ibid. p.21

¹⁷⁴ Ibid. Shikaki assessed the electoral results, largely on the basis of exit polls, against voter participation, voter perception of the fairness of the electoral processes, voter perception of the role of the council, and whether clan or family loyalties took precedence in the voting over political affiliation. p.22

¹⁷⁵ United Nations (1996). *Yearbook of the United Nations 1996*, Vol.50. United Nations NY. p.380

¹⁷⁶ Schenker, D. (2000). *Palestinian Democracy and Governance: an appraisal of the Legislative Council*. Washington DC, The Washington Institute for Near East Policy. p.xiii; Albright (2003). *Madam Secretary*, p.296; Aburish. *Arafat*, Ch.10; Robinson, G. E. (1997). *Building a Palestinian State: the incomplete revolution*. Bloomington IN, Indiana University Press. Ch.7

¹⁷⁷ Abu Amr. *Political Reform*, p.17

¹⁷⁸ Human Rights Watch (1997). *Palestinian self-rule areas*, p.6

¹⁷⁹ Shikaki (1996). "The Palestinian Elections", p.17

To what extent could the United States rely upon the Palestinian Authority to deliver upon its commitments? Ross has recorded that Washington tended to side with Israeli leaders who preferred an authoritarian Palestinian regime that could fulfil its security obligations.¹⁸⁰ Israel's concern was that the Palestinian Authority fight Islamic militancy and terrorism, regardless of its stance on human rights and due process.¹⁸¹ For his part, Arafat preferred that Palestinian extremists focus on Israel, not on him.¹⁸² It was not until after the swearing-in of President George W. Bush in 2001 that the Americans began in earnest to pressure Arafat to reform his administration.

As this digression into the creation of the Palestinian Authority shows, the Administration was somewhat confused about the means of prosecuting its objectives with the Authority; was treating with an imperfect instrument; was more concerned with law and order than the realisation of principles of liberal and accountable governance; and was reliant upon an unformed and nascent 'state' to deliver on internationally brokered agreements. That was to remain the case for the remainder of Clinton's term of office, and beyond, complicating the realisation of a peace agreement.

Persuasion and pressure remained the Administration's principal means of influencing the Palestinian leadership. Arafat was well aware of the United States's expectation of him in terms of the Middle East Peace Facilitation Act. He showed that he was able to crack down on terrorism, on which Israeli and Palestinian security forces cooperated; and he responded to bomb explosions in Jerusalem and Tel Aviv in March with imprisonments, outlawing several Islamic groups and closing some of their schools, orphanages, and charitable organisations.¹⁸³ He also concurred in Peres's decision to defer withdrawal of

¹⁸⁰ Ross, D. B. (2002). Introduction. *Reforming the Palestinian Authority: requirements for change*. D. Ross. Washington DC, The Washington Institute for Near East Policy. p.1; Abu Amr. Political Reform. The author is chairman of the Palestinian Legislative Council's political committee. He has written: 'Beginning in 1997...when some Palestinians were fighting for reform, the United States and Israel turned a blind eye to corruption within the PA. As long as security cooperation with Israel was maintained, no one seemed to care about political reform'. p.19

¹⁸¹ Schenker. *Palestinian Democracy*, p.xiv

¹⁸² Albright (2003). *Madam Secretary*, p.297

¹⁸³ Aburish. *Arafat*, pp.296-7

the IDF from Hebron until after the Israeli election in 1996,¹⁸⁴ hoping that cooperation would facilitate Peres's return to office.

The efforts of Palestinian insurgents, and of Hezbollah in Israel's self-declared southern Lebanon security zone, to set back the peace process presented particular difficulties to the Americans. In order to bring international pressure to bear to restrain, if not halt, the violence, Clinton persuaded the Egyptian president to host a meeting at Sharm el-Sheikh in March 1996. American diplomacy was successful in bringing 29 leaders to the summit, including 13 from Arab countries and the Palestinian Authority, but Syria and Lebanon declined to take part. Clinton was an active participant at the summit. He secured international condemnation of terrorism, and was able to demonstrate to terrorist groups that they were running against the tide of regional opinion. He also praised Israel's efforts to date, promising support in its campaign to thwart Islamic violence.¹⁸⁵ While Clinton achieved his political objective, it was obtained in the absence of the two states that abetted terrorist groups, Iran and Syria, and Lebanon, from which some terrorist activity was launched. Moreover, the summit's conclusions lacked material substance, and international condemnation did nothing to persuade terrorist groups or their state supporters to halt terrorist activity in the region.

Although the ostensible focus of the conference was terrorism, Clinton had an additional objective. He sought regional support for the peace process. The best prospect for its continuance lay in a return of an Israeli government led by Peres. Peres's principal challenger for the premiership, Binyamin Netanyahu, had already signalled his disagreement with the process. A summit with such a sub-plot, convened two months out from the Israeli election, might be viewed with some cynicism 'as a blatant piece of US electioneering on Peres's behalf'.¹⁸⁶ During the two months remaining before that regional

¹⁸⁴ Pelletreau (1996). "Statement, 12 June 1996." p.337

¹⁸⁵ Clinton, W.J. (1996). The President's News Conference with Prime Minister Shimon Peres of Israel in Jerusalem, 14 March 1996. *Public Papers - President Clinton, 1996*. Clinton promised \$100 million toward combating terrorism. The United States would provide Israel with additional equipment and training; would work together to develop new anti-terror methods and technologies; would enhance communication and coordination; and would increase intelligence sharing and coordination with the assistance of the U.S. Central Intelligence Agency. p.445

¹⁸⁶ Seale, P. and L. Butler (1996). "Asad's Regional Strategy and the Challenge from Netanyahu." *Journal of Palestine Studies* Vol.XXVI No.1 (Autumn 1996). p.28

support could be reflected in an electoral victory, Lebanon's Hezbollah responded vigorously to Israeli shelling into southern Lebanon. Israel launched Operation Grapes of Wrath against Lebanese sites on 11 April. Peres hoped that the assault would show the Israeli public that while he was deeply committed to the peace process, he could be firm where questions of security were involved. Public opinion surveys were showing increased support for the Arab-Israel peace process, but most supporters of the religious and right-wing parties remained opposed to, or sceptical about, it.¹⁸⁷ The military adventure played indirectly into the hands of the Israeli political right. On election day many Arab Israelis abstained from voting because IDF action had caused casualties among Lebanese civilians.¹⁸⁸

Netanyahu had promised that if he attained office on 29 May, he would not renege on any of the country's international commitments. He implied, however, that he would freeze the Oslo process.¹⁸⁹ He won Israel's first direct election for prime minister under new procedures by less than one-half of one per cent of the vote.¹⁹⁰ His party actually won fewer Knesset seats than Peres's Labor party, but was able to form a governing coalition with minor parties of the right. It was hardly a convincing mandate to frustrate the Oslo peace process. The United States now had to deal with the third Israeli government, and the fourth prime minister, since the negotiation had been launched in 1991. How it sought to persuade the new government to effect a peaceful settlement with the Palestinians will be discussed in chapter 7.

Conclusion

The contrast between the Clinton Administration's restrained use of American power during its early period in office, and the Bush Administration's robust application of power to bring Israel and the Arab parties into face-to-face negotiation, is patent. Baker applied leverage to obtain his objective. Christopher inherited an established, if moribund, negotiation and interpreted his role as being to 'probe positions, clarify

¹⁸⁷ Shikaki (1996). "The Future of the Peace Process and Palestinian Strategies." *Journal of Palestine Studies* Vol. XXVI No.1 (Autumn 1996). p.82

¹⁸⁸ Morris. *Righteous Victims*, p.640

¹⁸⁹ Shlaim (2001). *The Iron Wall*, p.568

¹⁹⁰ Quandt (2001). *Peace Process*, p.338

responses, help define common ground, [and] offer what may be bridging ideas'.¹⁹¹ Under Clinton, America's ideational power was relegated to the realm of the possible in the light of agendas set by others rather than utilised as an instrument for the advancement of discrete American objectives. In particular, it was used in support of the peace process in the expectation that the parties should arrive at their own compacts as Israel and the Palestinians had done at Oslo. In that context American diplomacy effectively marshalled international assistance for the Palestinian Authority, and secured almost universal approbation of the peace process within the United Nations. Later, when the United Nations became seized of Palestinian concerns about an expansion of Israeli settlements in the occupied territories, American diplomacy was employed to protect the process.

This shift of focus, in response to external pressure, was tactical. For Clinton, keeping the peace process afloat became imperative if the overall strategic objective were ever to be realised. Christopher's behaviour during the early part of the period under review was in accordance with his original interpretation of his role and was apparent in the Administration's effort to keep the parties engaged and in trying to get them to understand and address each other's fundamental concerns. The Americans strayed beyond it when they concluded that a determined effort had to be made to protect the peace process from the intrusion of elements that they perceived to be inimical to it.

Such was the importance given to protection that the Administration almost came to view the process as an end in itself, rather than the means toward an end. They believed that its progress could easily be disrupted and that it needed to be preserved at almost any cost. With the benefit of hindsight, Ross has concluded:

By never holding either side accountable, by never being prepared to disrupt the process and put it on hold, we contributed to an environment in which commitments were rarely taken seriously by either side, knowing there would never be any real consequence. In the future, there must be a consequence for nonperformance – and to have real meaning, it must be publicly seen. When all sides have to explain publicly why a particular step has been taken, why they are

¹⁹¹ Migdalovitz, C. (2002). *The Middle East Peace Talks*. Washington DC, Congressional Research Service, The Library of Congress. p.2

being blamed, why they have not acted in accordance with an obligation, they will feel the consequence.¹⁹²

This argument does not satisfactorily address the need to prevent, or minimise, disruption to the peace process. A public American charge of nonperformance by one party would almost inevitably have produced allegations that the fault lay in the other party's provocation. Once the airwaves had become saturated with accusations and counter-accusations, negotiation would have become more difficult. The United States chose to employ its power carefully, seeking to persuade Israel and the Palestinians to exercise restraint while protecting the peace process and its own role within it from external elements.

The unbalanced nature of the structure launched at Madrid was presented in the previous chapter. A fundamental shift in favour of a more balanced approach occurred when Israel began negotiating directly with the PLO, the two parties concluded their Declaration at Oslo, and the United States undertook to 'make real' its principles. American activity subsequent to the Declaration's signing showed an Administration concerned to protect the Declaration's processes, unchanged in support for Israel, and critical of Arafat for not honouring his commitment to restrain, if not prevent, Palestinian terrorism against Israel. Why did Arafat initially commit his movement to a structure that formalised Israel's supremacy over Palestinians; and then, and later, place his trust for remediation in the hands of Israel's most fervent supporter? Therein lies the paradox that Israel's receptiveness to an exchange of land for peace depends upon the United States's unwavering commitment to its security. The United States is the only external power possessing the necessary authority to effect some change in Israeli perceptions. The Arabs had perforce to acknowledge this: none of the PLO's former supporters had been able to urge Israel to accommodate Palestinian grievances. Although not an ideal situation for the Palestinians, reliance upon the United States was not without some countervailing advantages. Personal contact with the president flattered Arafat's vanity, a toehold had been created that offered prospect of a Palestinian state, and America had encouraged foreign assistance for his people. Arafat remained vulnerable to American threats for his temporisation

¹⁹² Ross, D.B. (2004). *The Missing Peace*, p.771

on terrorism but proven survivor that he was, he undoubtedly hoped that his skills of manipulation would carry him through.

The Administration's concentration on protection and preservation of the process meant that it failed to answer fundamental questions about the nature of any future Palestinian entity dotted with Israeli settlements; how the continuing construction of settlements might complicate the controversial issue of Palestinian statehood; how an undivided Jerusalem could satisfy the contradictory aspirations of Israelis and Palestinians to locate their capitals there; and, above all, how to handle such matters as they arose during the transition to final status negotiations. Its apparent disinclination to address and resolve the last of these questions led to a gradual erosion of Palestinian confidence in an America-designed process whose tactical objective was to proceed to a negotiated settlement through confidence-building stages.

An option available to the Administration, consistent with that objective, would have been to insist that settlement activity be halted pending the outcome of the final status negotiations. The 1993 Declaration does not prescribe a halt to settlement-building, but there are many precedents in international relations for freezing contentious issues pending their resolution. If the Administration had determined the relevance of these precedents to the settlements question, it could have exerted pressure on the Israeli government to conform. It chose the softer option of leaving the matter to the two parties to resolve, notwithstanding that by the time they addressed the matter the situation on the ground would have been altered, probably irrevocably.

A further shortcoming on questions of principle was revealed in 1994 when the Administration tested the receptivity of the UN General Assembly to the creation of a clean slate for Israeli and Palestinian negotiators. Jerusalem, refugees and, again, settlements were among the matters whose UN prescriptions the Administration sought to excise. Clinton did not at any time exert pressure over Israel's settlement activity comparable to that of his predecessor. He was not prepared either to take the domestic political risk that Bush had taken when refusing Israel's loan guarantee request, or to risk a re-opening, with probable attendant unravelling, of the Oslo process. The Administration came to realise the cost of its not having addressed the settlements question from the outset. Israel's settlements activity was to

become a major cause of contention between Israelis and Palestinians. Clinton's subsequent effort to persuade the Israeli government to desist proved unsuccessful, as will be shown in chapter 7.

The Administration was somewhat constrained in its dealings with Israel and the Palestinians by congressional attitudes, but was able to turn some congressional requirements to its advantage. This was particularly so in respect of the Palestinians, for whom the threat of negative American sanctions outweighed the positive sanctions that were extended. Clinton imposed conditions on the PLO when his Administration entered into formal relations with it in September 1993; and the Administration reported quarterly to the Congress on PLO activity.¹⁹³ Its threat of negative sanctions, coupled with the provision of external assistance to the Palestinians, was used to effect the removal from the Palestinian National Covenant of clauses that called for Israel's extinction. But with an annual pledge to the Palestinians amounting to just 3.3 per cent of the \$3 billion allocated to Israel each year, any authority the Administration might hope to exercise over them through positive sanctions was limited.

The United States could reasonably expect that there would be some opposition to the Oslo accords among Israelis and Palestinians. It could not have anticipated the cycle of violence and retributive action that eventuated, or the murder of an Israeli premier. It responded to these unintended consequences, which threatened the peace process. Clinton secured significant regional condemnation of terrorism, although some key states that facilitated, if not actually supported terrorism, were not party to the condemnation. He also strongly encouraged the Palestinians to restrain terrorist activity; and he issued an Executive Order that proscribed assistance to Hamas.

Clinton had explicitly conditioned support for a Palestinian self-governing agency on its ability to maintain law and order within its jurisdiction and was able to use the congressional scrutiny offered by MEPFA for this. Arafat showed that he was able to restrain his opponents when it suited him, as he did in helping to create a climate conducive to Peres's election to the premiership. But Clinton was reliant on an individual who was disinclined

¹⁹³ Mark (2003). *Palestinians and Middle East Peace*, p.5

always to exercise restraint. When Arafat did so, it was in ways that were often contrary to international human rights norms. The Palestinian Authority was not alone in this: breaches of customary international law affecting human rights were committed by both Israelis and Palestinians.¹⁹⁴ These might be presumed to have troubled a president who was championing global observance of human rights and democratisation and who had explicitly denied particularism in human rights.¹⁹⁵ But priority was accorded to security, without which the peace process was stymied.

Progress had been made in the Israeli-Palestinian negotiation during the tenure of Israel's Labor government, but it was tentative. Much of the address of Clinton's Administration had perforce been the protection of a process whose vulnerability had been exposed by extremists opposed to the accommodations that were being concluded.

¹⁹⁴ Ross, D.B. (2004). *The Missing Peace*. When Arafat arrested a number of operatives from the Hamas military wing in 1995 and created 'security courts' to try them, Rabin urged the US not to pressure Arafat on the human rights questions raised by these courts. p.193

¹⁹⁵ Clinton, W.J. (1993). Remarks to the Korean National Assembly in Seoul, 10 July 1993. *Public Papers - President Clinton, 1993*. Clinton said that 'democracy and human rights are not Western imports. They flow from the internal spirit of human beings because they reflect universal aspirations'. p.1056

Chapter 5

Progress and regional cooperation: the United States, Israel and Jordan; and the multilateral negotiations, 1992-97

President Clinton's peace objective in the Middle East included a requirement that 'peace must be comprehensive...[with the expectation that]...the wider Arab and Muslim worlds...[would]...normalise their relations with Israel'.¹ The Administration wished to engage Israel's Arab neighbours in a constructive partnership with Israel that would assure Israel's legitimacy as a Middle Eastern state. Significant steps along that route had been taken by Egypt (1979) and the Palestinians (1993). A peace treaty was to be concluded between Israel and Jordan in 1994; and the Administration used the multilateral channel established under the Madrid conference, and regional economic conferences, to help secure Israel's peaceful integration into the region.

The United States, Israel and Jordan

Clinton received King Hussein in June 1993 and obtained a firm undertaking of his intent to pursue peace with Israel. A week later the king wrote to the president describing his vision of peace, and Clinton passed a copy of the letter to Israel. Soon afterwards, and in recognition of Jordan's rehabilitation as a helpful associate in the search for a comprehensive peace settlement, Clinton asked the Congress to resume military and economic assistance to Jordan.² Jordan's agenda for peace had been ready since October 1992, but King Hussein had preferred to wait until some progress had been made between the Israelis and Palestinians.³ He had also overseen the composition of a Jordanian Parliament likely to be receptive to a peace treaty with Israel. The path had thereby been cleared for Jordan to move quickly once there were clear indications of movement on the Palestinian side.

¹ Clinton, W.J. (1994). Teleconference Remarks with B'nai B'rith, 24 August 1994. *Public Papers - President Clinton, 1994*, p.1497

² Segev, S. (1998). *Crossing the Jordan: Israel's hard road to peace*. New York NY, St Martin's Press. p.299; Mr Marwan Kassim, former foreign minister of Jordan, said in an interview in Amman, on 8 May 2002 that it was Israel that had first hinted to the Jordanians of American debt forgiveness or military assistance if a peace treaty were to be concluded with Israel.

³ Shlaim (2000). *The Iron Wall*, p.538

The Israel-Palestinian breakthrough in 1993 opened the way. While in Washington for the signing of the Declaration of Principles, the Israelis and Jordanians initialled a substantive agenda for their own negotiation. Then, during a further visit for the pledging conference for the peace process held at the State Department on 1 October, Crown Prince Hassan and Shimon Peres announced the creation of a joint economic committee. The Administration linked this to the changed Israel-Palestinian circumstances, creating a trilateral US-Israeli-Jordanian working group to look at the next steps for economic development in the two Middle Eastern countries and how they would work with the Palestinians in Gaza and Jericho.⁴

The antecedence of the Israel-Jordan agenda of September 1993 lay in many years of discreet, informal contact between the two parties. Despite the hostile character, at times, of the Israeli-Jordanian relationship, King Hussein and Prime Minister Rabin revealed to Clinton that they had known each other for some 20 years.⁵ The king's contact with other Israeli leaders dated from the late 1960s.⁶ The king and Peres, also then Israel's foreign minister, had drafted an agreement in London in 1987 on a framework for formal negotiation between their states, but it was to founder on suspicion and tension between Peres and his then prime minister, Yitzhak Shamir. Anticipating a deceptive ploy that was considered again in relation to the Oslo Declaration, the two parties had hoped that their draft could be presented as an American addendum to the Reagan plan of 1982.⁷ Secretary of State Shultz was initially well-disposed toward it, and was prepared to visit the Middle East to see how the matter could be taken forward, but was discouraged from doing so by Shamir.⁸ All was not lost, however: some of the draft's provisions were later to influence part of the structure of the Madrid conference.⁹ But the king was to remain somewhat distrustful of Peres's ability to 'deliver' in view of his

⁴ Djerejian, E.P. (1993). "Statement before the Senate Foreign Relations Committee - 15 October 1993", p.745; Djerejian (1993). "War and Peace, 30 November 1993", p.877

⁵ Heikal. *Secret Channels*, p.526; Segev, S. (1998). *Crossing the Jordan*, p.298

⁶ Morris. *Righteous Victims*, p.630

⁷ Shlaim (2000). *The Iron Wall*. The author cites an interview with King Hussein. p.448

⁸ Ibid. p.446; Peres, S. (1993). *The New Middle East*. New York NY, Henry Holt and Company, Inc. p.56

⁹ Shlaim (2000). *The Iron Wall*. The draft agreement provided for an international conference, participation in which would be based upon the parties' acceptance of Resolutions 242 and 338; negotiations in independent bilateral committees; and Palestinian representation through a Jordanian-Palestinian delegation. p.445

experience in 1987, and had greater confidence in Rabin¹⁰ with whom he chose to work on the political negotiations, leaving the economic dimension largely in the hands of Peres and the Crown Prince.¹¹

Consistent with his commitment to Clinton, the king proceeded with negotiations with Rabin. Less than a week after the October pledging conference, King Hussein and Rabin met secretly to discuss a peace agreement between their two countries. The king was conscious of the inconclusive nature of the Palestinian Declaration, and insisted that every issue between Israel and Jordan be resolved before he would agree to sign a peace treaty. In a critical reference to the Palestinian Declaration, King Hussein characterised to the US Senate Foreign Relations Committee as 'an unstable surrender treaty' any declaration that left major issues for resolution at a later date.¹² He sought the Israeli prime minister's endorsement of several principles: Israel's guarantee of his 'preferred status' in the Muslim shrines in East Jerusalem deriving from his direct descent from the Prophet Mohammad; Israel's withdrawal from a stretch of land that the Israeli army had captured during the 1948 and 1967 wars; and a more generous division of the water of the Yarmuk River between Israel and Jordan.¹³ He achieved all of these objectives, although the area of land returned to Jordan was slightly less than that claimed.

When the king met again with Clinton on 22 June 1994 and briefed him on progress, the president suggested that he make public his secret meetings with Rabin, adding that the Congress would be more receptive to the idea of granting Jordan the economic assistance that it needed were that to occur. The king responded positively, suggesting a public meeting with Rabin in October, but later advanced the date to 25 July 1994. A sense of urgency had been imparted by the conclusion of the Palestinians' Cairo Agreement on 4 May. The Palestinians had set the pace, but the Jordanians were concerned not to lose touch with the front runners. They were also apprehensive that Israel would conclude a separate agreement with Syria, and that there would be very

¹⁰ Ibid. pp.539-40

¹¹ Ibid. p.540

¹² Segev, S. (1998). *Crossing the Jordan*. The author cites a report of a closed meeting of King Hussein with members of the Senate Foreign Relations Committee on 14 February 1994. p.302

¹³ Ibid. p.300

little left for Jordan.¹⁴ Accordingly, Jordan and Israel raced against the clock to complete their Declaration of Principles (known as the Washington Declaration, distinguishing it from the Palestinians') in time for a signing ceremony at the White House. Although the American Administration had been apprised of developments from time to time, a copy of the final draft was only made available to it on the day before its execution. And, indicative of an uneasy truce between Rabin and Peres, Rabin told the press that Peres had been totally excluded from the secret initiative with Jordan.¹⁵

Clinton, who had already had to address Assad's concerns about Israel's negotiating priorities, did not want the Israel-Jordan agreement to complicate the tentative negotiation under way between Israel and Syria. King Hussein was also concerned about Syria's possible reaction to the Washington Declaration. Its signature represented a breach of Jordan's commitment to keep its formal relations with Israel within an Arab consensus. Clinton telephoned Assad on the eve of its signature to assure him that the United States would continue to mediate a peace agreement between Israel and Syria and that he would accordingly be sending Christopher back to the Middle East.¹⁶ Later, after the signing of the Israel-Jordan peace treaty on 26 October 1994, the Syrians were to complain that relations between the two countries were too warm. The king was determined, however, that Jordan's peace with Israel would not be like the 'cold peace' between Egypt and Israel.¹⁷

The US contribution to the conclusion of the peace treaty was an indirect one. It was not a participant in the negotiations, but it had established the framework within which they were able to take place. That involved a reassessment of America's interests in Jordan, and the re-establishment of friendly relations with it. The Bush Administration had presided over the

¹⁴ Interviews with Senator Zeid Rifai, former prime minister of Jordan, Amman, 12 May 2002, and Dr Munther J. Haddadin, former minister of water and irrigation, Amman, 9 May 2002

¹⁵ Segev, S. (1998). *Crossing the Jordan*, p.304

¹⁶ Clinton, W.J. (1994). The President's News Conference with King Hussein of Jordan and Prime Minister Yitzhak Rabin of Israel, 26 July 1994. *Public Papers - President Clinton*, 1994, p.1311

¹⁷ Segev, S. (1998). *Crossing the Jordan*. Substance was given to the peace treaty through fifteen agreements concluded between February 1995 and January 1996 covering matters such as energy, sanitation, police, environment, commerce, agriculture, transportation (including aviation), science and technology, communications and tourism. The most meaningful dealt with security cooperation. It brought into the open the existence of the numerous 'informal understandings' that had been reached between the two countries in the past forty years. pp.310-1

change in American policy, and the Clinton Administration built upon it, urging the parties to continue their negotiations, and encouraging King Hussein to believe that American aid would be forthcoming.

The Clinton Administration used Jordan's economic difficulties to its advantage. The Congress's suspension of aid to Jordan in 1991¹⁸ had contributed to Jordan's problems, but the kingdom's economic woes were of longer-standing.¹⁹ By 1990, because of unmet financial pledges from the Gulf states, Jordan had been forced to reschedule its external debt and resort to revenue extraction from domestic sources in its quest to balance the budget.²⁰ The Administration wanted the Jordanian government to be able to demonstrate that the peace treaty was of benefit to the people of that country. Jordan has a population with significant links to the Palestinians, which is sympathetic to their condition. American economic assistance might not be sufficient to ensure their support for the peace process, but tangible benefits might moderate opposition to it.

From their first official meeting in June 1993, Clinton was to find King Hussein a committed partner of the United States in the search for an Arab-Israel peace settlement. The president was to call upon the king's assistance a number of times in his dealings with the Palestinians, and in his attempts to build a regional consensus against terrorism. The king proved to be an active and helpful ally. Clinton's gratitude was evident in his promise to King Hussein in mid-1994 to seek forgiveness of Jordan's debt to the United States, which at that time amounted to \$702.3 million (including \$309.9 million in military loans).²¹ The Administration also urged Jordan's other creditors to forgive Jordan's debt, but they were largely unwilling to do so and at the turn

¹⁸ Prados, A.B. (2001). *Jordan: U.S. relations and bilateral issues*. Washington DC, Congressional Research Service, The Library of Congress. The Congress required that the President certify that aid to Jordan was in the US national interest, that Jordan supported the Arab-Israel peace process, that Jordan was in compliance with UN sanctions against Iraq, and that special congressional notification be applied to expenditure of aid funds for Jordan. p.9

¹⁹ Brand, L.A. (1994). "Economics and Shifting Alliances: Jordan's relations with Syria and Iraq, 1975-81." *International Journal of Middle East Studies* Vol.26 No.3 (August 1994). Although various regional factors, particularly developments in the Arab-Israel conflict, have long been used to explain Jordan's relations with Iraq and Syria, Laurie Brand has shown that the timing and nature of Jordanian behaviour during the period 1975-81 is best explained in terms of the drive to ensure state-revenue sources. p.409

²⁰ Ibid. p.410

²¹ Prados (2001). *Jordan*. An additional \$27 million was eventually required because of changing interest rates. p.12

of the twenty-first century Jordan's indebtedness remained at over \$7 billion.²² After the signing of the Israel-Jordan peace treaty, the Administration reinstated economic and military assistance to Jordan at about \$220 million a year and, as a special dispensation in recognition of King Hussein's contribution to the Wye River negotiations of October 1998, Clinton sought an additional \$300 million appropriation to be spread over three years.²³ Jordan also earned America's favour for hosting one of the four economic summits, complementary to the peace process.

The level of American aid to Jordan has not been large, especially when compared to the volume of US assistance to Israel and Egypt. The Administration offered Jordan an economic benefit in another form. In October 2000 Clinton and the new monarch of Jordan, King Abdullah II, witnessed the signing of a US-Jordan Free Trade Agreement.²⁴ Clinton explicitly linked conclusion of this treaty to the peace process.²⁵ The treaty's relatively early conclusion was a signal development for, until the 1990s, the United States had concluded only two free trade agreements (with Israel in 1985 and Canada in 1989).²⁶ The agreement with Jordan had its provenance in the agreement with Israel. In 1996, in recognition of developments in the Middle East, the agreement with Israel was extended to cover goods produced or manufactured in the West Bank and Gaza Strip, thus providing Palestinian exporters with duty-free access to the American market; and to cover products from qualifying industrial zones between Israel and Jordan, and Israel and Egypt. Ten Jordanian industrial zones qualified under this provision by 2001. Egypt has not registered its industrial zones under the provision, preferring to await the conclusion of a comprehensive regional peace.²⁷ The possibility of a

²² Ibid. p.2

²³ Ibid. p.11

²⁴ Ibid. It was signed into law by President George W. Bush on 28 September 2001. pp.11-12

²⁵ Clinton, W.J. (2000). Remarks on Signing the Jordan-United States Trade Agreement, 24 October 2000. *Public Papers - President Clinton, 2000*. He said: 'Nowhere are the benefits of trade more critically needed than in the Middle East. By opening markets, we can help to ease poverty that makes peace hard to achieve and harder still to sustain'. p.2609

²⁶ Cooper, W.H. (2002). *Free Trade Agreements: impact on U.S. trade and implications for U.S. trade policy*. Washington DC, Congressional Research Service, The Library of Congress. p.1; Albright, M.K. (1997). "Building a Bipartisan Foreign Policy - 7 February 1997." *US Department of State Dispatch* (February 1997). The Clinton Administration had negotiated more than 200 trade agreements since 1993. p.19

²⁷ Ruebner, J. (2001). *U.S.-Jordan Free Trade Agreement*. Washington DC, Congressional Research Service, The Library of Congress. pp.2, 3, 5

bilateral American free trade agreement with Egypt has also been considered. Clinton received representations from 26 senators in August 2000 urging him to negotiate a free trade agreement with Egypt that would form the basis for a Middle East free trade region embracing all of the places mentioned above. Egypt is sensitive to the fact that Jordan, which stood apart from the Gulf War coalition, has an agreement while Egypt does not. The US position is that Egypt is not in a position economically to satisfy the requirement for an agreement;²⁸ while the more ambitious regional free trade zone proposal is unlikely to prove politically feasible before a settlement of the Arab-Israeli dispute.

Multilateral negotiations

America's objective of expanding the number of Arab and Muslim countries to engage with Israel was pursued through Madrid's multilateral channel. By encouraging closer functional links among all regional states, the United States sought to foster broader social and political understandings and to encourage adaptation to a new perception of shared concerns.²⁹ Further, the Administrations of both Bush and Clinton saw the well-being of their country linked to an expansion of the world's free market. James Baker, the architect of the Madrid framework, said in another context: 'the free markets...will support global - and American - prosperity'.³⁰ Clinton's Administration advanced a global vision of democracy underpinned by free market forces. An easing of political tension in the Middle East could facilitate the opening of markets, thus encouraging the movement of foreign capital and enterprise and promote nationally-sponsored or internationally-assisted economic development, which in turn could lead to a normalisation of relations among

²⁸ Interview with Mr Gene Cretz, US Embassy, Cairo, 5 May 2002

²⁹ In the functionalist view, a society has an underlying tendency to be in equilibrium (balance). Functionalism tends to emphasize consensus among the members of society on basic values, social order and stability in the social system. The term dysfunction is used to refer to negative social consequences. On occasion some element may disrupt the social balance, being functional in one respect and dysfunctional in another. Silver, M.L. "Functionalist Theory." Hempstead NY, Hofstra University.

http://people.hofstra.edu/faculty/Marc_L_Silver/S%20185/Functionalisttheory.htm - accessed 22 January 2003

³⁰ Baker (1992). "Summons to Leadership", p.322

regional countries.³¹ Israel's involvement in this circular process would assure its legitimacy as a regional partner. A Middle East regional development bank was postulated,³² which could provide technical expertise and finance. And American business would be a direct beneficiary.

The Americans had other reasons for instituting the multilateral channel. It was designed to draw in the international community, which had been largely excluded from the Madrid conference, and to send a powerful signal that all the participants, regional and non-regional, were fully committed to the ending of the Arab-Israel dispute.³³ Also, the Administration had concluded that the United States 'could not afford to shoulder the entire promise and obligation of peace as it had done at Camp David'.³⁴ Some sharing of the financial burden would be necessary, and the chairmanships of the working groups established under the rubric of the multilateral channel would be distributed essentially among the Organisation for Economic Cooperation and Development (OECD) states committed to the peace process and deemed likely to contribute financially toward its realisation.³⁵

Madrid's multilateral working groups

Bush had been content that the multilateral channel be launched in Moscow, given that the critical bilateral negotiations were being conducted in Washington. This occurred in January 1992. Most of the 36 participants initially took part in order to go along with the United States.³⁶ The 11 Middle Eastern and North African states widened by seven the number of Arab states prepared to work alongside Israel within the Madrid framework, but key Arab

³¹ Clinton, W.J. (1993). Remarks and an Exchange with Reporters on the Middle East Peace Process, 1 October 1993. *Public Papers - President Clinton, 1993*. Clinton said that 'the region can grow more rapidly when all its partners can trade with one another and invest in one another'. p.1644

³² Baker (1995). *The Politics of Diplomacy*. The idea of a Middle East Development Bank was advanced by Secretary Baker in testimony before the Senate Foreign Relations Committee on 7 February 1991. p.413

³³ Peters, J. (1994). *Building Bridges: the Arab-Israeli multilateral talks*. London UK, The Royal Institute of International Affairs. p.4

³⁴ Djerejian (1993). "The multilateral talks", p.697

³⁵ Ibid. The chairmanships were: steering group (United States of America and Russia), arms control and regional security (United States of America and Russia), economic development (European Community), environment (Japan), refugees (Canada) and water resources (United States of America). pp.697-8. The United Nations was represented in all the working groups.

³⁶ Landau, E. (2001). *Egypt and Israel in ACRS: bilateral concerns in a regional arms control process*. Jaffee Center for Strategic Studies. Tel Aviv, Tel Aviv University p.10

states were not as enthusiastic about the multilateral track as they were about bilateral negotiations. Lebanon and Syria refused to participate in the working groups, without giving reasons, and tried to enlist Arab support for their position.³⁷ Later, they said that they would not participate until there was more progress in the bilateral negotiations.³⁸

The framework devised by the Bush Administration had been so constructed that the working groups would remain a bit behind the pace of the bilateral negotiations where real progress had to be achieved. This perception was shared, to some extent, by regional participants who were wary of letting Israel gain too much in terms of improved regional relations before it had made substantive progress in negotiations with the Palestinians and Syria in particular.³⁹ The US architects hoped that developments within the groups would have a positive effect on the bilateral negotiations through a 'pre-negotiation process' of defining and redefining their conflictual relationship, moving from problem recognition to problem solving,⁴⁰ and reaching agreement on confidence-building measures.

The working groups covered water, economic development, refugees, the environment, and regional security and arms control⁴¹ and were linked through a Steering Group under US and Russian joint chairmanship.⁴² The contributions of the various working groups differ, as does the import of the matters under discussion. During Clinton's presidency contentious matters were raised in the groups on arms control and regional security, and refugees, and in connection with the group on regional economic development. The non-participation of Lebanon and Syria precluded discussion of the Jordan River basin in the working group on water.

³⁷ Abbas. *Through Secret Channels*, p.97

³⁸ Djerejian (1993). "Statement, 27 July 1993", p.570

³⁹ Landau. *Egypt and Israel*, pp.7, 10

⁴⁰ Zartman, I.W. (1989). *Pre negotiation: phases and functions. Getting to the Table: the processes of international prenegotiation*. J. G. Stein. Baltimore MD, The Johns Hopkins University Press.

⁴¹ Djerejian, E.P. (1992). "Statement before the Subcommittee on Europe and the Middle East of the House Foreign Affairs Committee - 17 March 1992." *US Department of State Dispatch* (23 March 1992) p.218

⁴² Membership of the Steering Group comprised the United States of America and Russia, Israel, Egypt, Jordan, the Palestinians, Saudi Arabia (representing the Gulf states), Tunisia (representing the Maghreb), Japan, Canada and the European Union.

The United States co-chaired the arms control and regional security (ARCS) working group. All issues related to the arms control debate were on its agenda. In a region in which the asymmetrical power balance lay in Israel's favour, it was inevitable that the Clinton Administration and Israel would have to find some way to deal with questioning of Israel's assumed nuclear capability when confronted with the argument that it was no longer acceptable for one Middle Eastern country to remain exempt from the international arms control regime that applied to all other regional states. America's chairmanship facilitated a separation of issues before the group into two 'baskets', which deflected discussion for some time from the nuclear question by encouraging the group's focus on matters in an 'operational basket' where significant progress was achieved.⁴³ Egypt was concerned, however, that a comprehensive peace settlement would result in a challenge by Israel for regional hegemony in view of its technological and nuclear supremacy. In Egypt's self-view, its identity as the leader of the Arab world was at stake. In the first half of 1995, and as the NPT Review and Extension Conference approached, Egypt used the ARCS forum to demand that Israel sign the NPT as the price of Egypt's support for an indefinite extension of the treaty. The Administration was investing heavily in an extension of the treaty and asked Israel to find some means of addressing Egypt's concerns. Israel suggested embarking on discussion of a nuclear weapon free zone (NWFZ) in the Middle East two years after having signed peace agreements with all regional states, including Iran and Iraq. It would then consider joining the NPT. Egypt countered with demands for the opening of discussion of a NWFZ in the Middle East before the NPT conference, and Israel's commitment to sign the NPT within two years of signing peace agreements with Lebanon and Syria. Signature of the NPT would, of course, require Israel to open its nuclear facilities to IAEA inspection, which it was loathe to do.

Egypt tactically targeted the United States on the question of Israel's assumed nuclear capability. The United States had greater influence with Israel than any other country. President Kennedy had pushed for inspection of Israel's nuclear facility; and President Carter had proven an effective

⁴³ Landau. *Egypt and Israel*, pp.17-8

intermediary at Camp David in 1978. Perhaps Clinton, in the Democratic succession, might be able to effect some change in the Israeli position. By 1995, European organisations had advanced their own set of initiatives to establish regional security partnerships between countries in Europe and the Mediterranean. This involved some Middle Eastern and North African countries.⁴⁴ They adopted the Barcelona Declaration in November of that year, acknowledging the complementarities of the Madrid and Barcelona processes.⁴⁵ But Egypt did not insist on a specific clause in the Barcelona Declaration requiring all parties to adhere to the NPT in the near future.

Israel's assumed nuclear capability presented a particular difficulty for the United States. Such a capability guaranteed Israel's security, but ran counter to Clinton's identification of non-proliferation of WMD as a high foreign policy priority. The United States had helped to forge the international non-proliferation regime and was committed to securing its universal acceptance. This included accession to the NPT and its accompanying CTBT. In the context of nuclear developments in South Asia, Clinton invited attention to America's and India's shared interest in the CTBT and an end to the production of fissile materials. He was challenged about preparedness to pressure India to conform with non-proliferation norms while not doing so to Israel. He responded that 'the fewer countries who become nuclear powers, the better off we're all going to be'.⁴⁶ The president's objective was 'to keep the number of people in the nuclear club as small as possible and then reduce the nuclear arsenals that they have, including our own'.⁴⁷ In his view, it ought to be possible for nations to guarantee their security in other ways and it was up to America to assist in that process. This longer-term vision has attraction, but it did not address immediate questions relating to constraining states

⁴⁴ Among the regional participants in the bilateral and multilateral negotiations within the Madrid framework, Egypt, Israel, Lebanon, Morocco, Syria, Tunisia and the Palestinian Authority are members of Euro-Mediterranean partnership. European Union (1995). *The Euro-Mediterranean Partnership*. EU Directorate-General External Relations.

http://www.euromed.int/comm/external_relations/euromed/ - accessed 22 April 2002

⁴⁵ European Union (2001). *The EU and the Middle East Peace Process - the Union's position and role*. EU Directorate-General External Relations.

http://europa.eu.int/comm/external_relations/mepp/index.htm - accessed 27 December 2001

⁴⁶ Clinton, W.J. (1994). The President's News Conference with Prime Minister P.V. Narasimha Rao of India, 19 May 1994. *Public Papers - President Clinton, 1994*, p.955

⁴⁷ Ibid. p.956

outside the regime that possess a nuclear capability, or the value of norms that are not uniformly applied or upheld by one of their principal proponents.

The Administration had to weigh which would better serve its interests – the peace process, or Israel's subscription to the NPT? It rated preservation of the peace process as important and the more likely of the alternatives to be achieved. Clinton was later to put in writing: 'From the beginning of my administration, one factor has guided me: to take no action that I judged would harm the peace process'.⁴⁸ A number of reasons may be adduced for the prioritisation. First, President Kennedy's Administration had failed to uncover evidence of Israel's development of nuclear weaponry, and America would not wish to place itself in a similar position again. Second, Israel had honoured its commitment to Kennedy that it would not be the first state in the Middle East to test a nuclear weapon, and Israel signed the CTBT in 1996. Third, accordingly there is no publicly available evidence that Israel possesses a nuclear capacity. Fourth, the NPT and the non-proliferation regime had shown a robust ability to survive without Israel's signature. Fifth, Clinton would not have wished to press a matter that could alienate his Jewish supporters a year out from his re-election for a second term. And finally, the ambiguity that surrounds the question of whether Israel possesses nuclear weaponry suited the broader purposes of both Israel and the United States in the Middle East. They found it convenient that other states believed that Israel had such a capability and that they factor this into their own foreign policy equations without the necessity of Israel declaring it. Convinced that no accommodation was possible between Israel and Egypt on this issue, the United States suspended the ACRS talks indefinitely in order that they not adversely affect the peace process or Israel-Egypt relations in general.⁴⁹

The working group on refugees became a forum for the iteration of matters germane to any bilateral settlement between the Israelis and Palestinians. No other community of refugees was discussed. 'Refugees' having been reserved under the 1993 Declaration for consideration in relation to final status negotiations, doubt could be entertained about progress being

⁴⁸ Clinton, W.J. (2000). Written Responses to Questions Submitted by the Arabic-language Newspaper *Al Hayat*, 10 August 2000. *Public Papers - President Clinton, 2000*, p.1855

⁴⁹ Landau. *Egypt and Israel*, pp.19-20

achieved within this working group. Such progress as was achieved tended to be 'technical'. The group decided to seek reliable data on the Palestinian population, especially in Jordan, Syria and Lebanon; and Israel agreed to increase four-fold to 2,000 the number of family reunion applications it would process annually.

American hegemony over the Madrid process was challenged within the regional economic development working group (REDWG). This group, more than any other, was predicated on the functionalist thesis that the 'adaptive' role performed by the economy would drive and strengthen the foundations for political agreement. It was convened by the European Union, whose predecessor institution had tasked the World Bank to produce a report on the economy of the occupied Palestinian territories and to draw up a list of priority projects to overcome the infrastructural constraints on economic cooperation in the region. The Bank's report provided the basis for directing the aid pledged in Washington in October 1993. America's pre-emptive calling of that donors' conference, and its subsequent desire to remove economic development of the occupied territories from the remit of REDWG, was seen by the Europeans as diminishing their role in the peace process. They suspected Washington of seeking to marginalise them as 'payers, not players'.⁵⁰ A compromise was devised, after what has been described as 'intense discussions',⁵¹ whereby the World Bank's Paris office would provide the operational headquarters for aid to the Palestinians, monitored by an *ad hoc* liaison committee that would report to both REDWG, and the Steering Committee on which the United States was joint chairman.

During the course of their brief life-span, the working groups were successful in realising one of America's objectives. They initiated acceptance of Israel as a partner in regional affairs. Official Israeli delegations were received at meetings with delegations from Arab and Muslim states, including in Egypt, Morocco, Oman, Qatar and Tunisia. With the exception of Egypt, none had diplomatic relations with Israel, but several were to open 'liaison' offices in the Jewish state. One of the criticisms levelled at Arafat by

⁵⁰ Brackman, N. (2000). "The Multilaterals: status and prospects." *Peace Watch* No.244 (28 January 2000). Washington DC, The Washington Institute for Near East Policy. p.2.
<http://www.ciaonet.org/pbei/winep/brn03.html> - accessed 21 January 2003

⁵¹ Peters. *Building Bridges*, p.28

Palestinians was that the Oslo accords had opened the way for the normalisation of relations with Israel by a number of countries normally supportive of their cause, including China. The process of legitimating Israel was set back by Netanyahu's uncompromising attitude toward the Palestinians and abruptly halted after a botched attempt by Israeli agents to assassinate a senior Hamas official in Amman in September 1997.⁵² The United States had to pressure Qatar to go ahead with its previous decision to host the fourth Middle East and North Africa Economic Summit in November 1997 with Israeli participation. Most Arab countries boycotted the conference,⁵³ dramatising the deterioration in the peace process.⁵⁴ Such was the dynamic between the bilateral and multilateral negotiations that when implementation of the Oslo process stalled, the working groups ceased to meet. They are unlikely to be revived unless substantial progress is achieved in bilateral negotiations.

The Middle East and North Africa Economic Summits

After the demise of the Soviet Union, American Administrations espoused the view that democratisation, backed by market economics, would contribute to international stability. Clinton's Administration had 'made clear its view that supporting American business overseas would be at the heart of [its] foreign policy interests'.⁵⁵ Secondary and tertiary boycotts had been imposed by the Arab League on American and other foreign-owned companies that traded with Israel. For Clinton, such discriminatory arrangements had to be removed in the context of normalising Israel's relations with Arab states,

⁵² Morris, *Righteous Victims*. Three Mossad agents were arrested by the Jordanian police. King Hussein secured the release of the Hamas leader, Sheikh Ahmad Yassin, and other gaoled terrorists in exchange for the Mossad operatives. p.645; Albright (2003). *Madam Secretary*, records that the Sheikh was one of 70 Palestinians held as terrorists that Netanyahu had to release as part of the exchange, negating the pressure she had been putting on Arafat to arrest terrorists. p.298

⁵³ Segev, S. (1998). *Crossing the Jordan*, p.1; Telhami, S. and M. Barnett (2002). Introduction. *Identity and Foreign Policy in the Middle East*. S. Telhami and M. Barnett. Ithaca NY, Cornell University Press p.21

⁵⁴ Morocco and Tunisia froze their normalisation process and Morocco turned down requests by ministers of the Netanyahu government to visit Rabat. Oman and Qatar adhered to an Arab summit decision to freeze normalisation, and Oman closed its 'liaison' office in Israel.

⁵⁵ Pelletreau Jr, R.H. (1994). "The Growing Role of Economics in the Middle East Peace Mosaic, 17 November 1994." *US Department of State Dispatch* Vol.5 No.48 p.795

and the Administration applied itself to securing that objective.⁵⁶ Clinton had initially seemed prepared to accept that the peace process may have to be finished first,⁵⁷ but his position was to firm in favour of an early lifting of the boycott.⁵⁸ Saudi Arabia was receptive to the argument for the ending of the boycott, and under its leadership the members of the Gulf Cooperation Council (GCC) declared that they would no longer enforce the secondary and tertiary aspects of the economic boycott and that they would support a move in the Arab League to end the primary boycott of Israel.⁵⁹ Qatar began supplying natural gas to Israel.

With arrangements in train for the removal of this obstruction, the Administration engaged the attention of the American and international business community in the commercial prospect offered by a Middle East peace. It concurred in a proposal broached by Peres with the World Economic Forum of Davos, Switzerland, that the Forum and the New York-based Council on Foreign Relations sponsor a Middle East and North Africa Economic Conference at Casablanca in 1994.⁶⁰ The participants at that conference agreed: to establish a Middle East and North Africa Development Bank, and called for a group of experts to examine different options for funding mechanisms; to establish a Regional Tourist Board; to encourage the private sector to create a Regional Chamber of Commerce and Business Council; and to institutionalise the process through a Steering Committee and

⁵⁶ Baker had raised this matter unsuccessfully with Arab foreign ministers attending the 1992 UN General Assembly, and pledged to work for an ending of the boycott in his letter of assurances to Israel on the eve of the Madrid Conference.

⁵⁷ Clinton, W.J. (1993). Remarks and an Exchange with Reporters on the Middle East peace process, 1 October 1993. *Public Papers - President Clinton, 1993*, p.1644

⁵⁸ Clinton, W.J. (1994). Teleconference Remarks with B'nai B'rith, 24 August 1994. *Public Papers - President Clinton, 1994*. He expressed a desire to bring the boycott of Israel to an immediate end: 'the boycott harms American companies, and it has no place in the peace process'. p.1498

⁵⁹ Clinton, W.J. (1994). Remarks Welcoming Crown Prince Hassan of Jordan and Foreign Minister Shimon Peres of Israel, 3 October 1994. *Public Papers - President Clinton, 1994*, p.1679; US Department of State (1995). "Joint Declaration of the Foreign Ministers of the Gulf Cooperation Council and U.S. Secretary of State, Jeddah, 12 March 1995." *US Department of State Dispatch* Vol.6 No.14. The GCC's decision to terminate the secondary and tertiary aspects of the boycott was announced on 30 September 1994. p.264

⁶⁰ Savir (1998). *The Process*, pp.84-5. The summits had their genesis in a meeting in Jordan between Peres and King Hussein in November 1993. Representatives from 61 countries attended, together with more than 1,100 businessmen and the senior executives of various international organisations. A declaration adopted by the conference recognised the achievements made in the peace process and stressed that they needed to be reinforced by solid economic growth and a palpable improvement of the life and security of the peoples of the region.

Executive Secretariat in Rabat, Morocco. Israel's institutional links to the regional community seemed to have been affirmed and expanded.

After the success of the first conference, the Administration decided to incorporate economic summits into its overall strategy for the attainment of a comprehensive peace settlement. The State and Commerce Departments assumed the American role in organising the meetings in association with their European partner. Subsequent conferences were held in Amman (October 1995), Cairo (November 1996) and Doha (November 1997).⁶¹ Because the Israel-Palestinian negotiations had stalled by late 1997, no progress was made on the implementation of the various proposed instruments of regional economic cooperation, and no decision was taken to hold a fifth conference.

The United States had seen the conferences as offering a substantive inducement to Israel. Normalisation of relations with Israel by regional states would bring a 'peace dividend' to Israel that would compensate it for expected territorial concessions in the bilateral negotiations with the Palestinians and Syria. This precept reflects some of Peres's ideas.⁶² For him, security was not just a military phenomenon: it also had political, psychological and economic components. He believed strongly in the economic dimension of peace-making. Arab states found Peres's vision disturbing for it seemed to foreshadow Israeli economic hegemony in the region. The fear that Egypt had expressed in the ACRS working group about Israel's emergence as the dominant regional power also had an economic dimension. The Administration's support for a regional development bank located in Cairo was intended to assuage Arab concern that direct foreign investment, encouraged into the region by an improvement in political relations, would be channelled preferentially to Israel where socio-economic conditions were receptive, enabling it to build upon an already strong economic base. A development bank would channel investment capital into approved projects in Arab developing countries.

⁶¹ All commanded the attendance of large numbers of states and businessmen, as well as officials of relevant international organisations. Even the Doha summit, the least successful of the set and which was boycotted by Arab states, attracted 2,000 people including official delegations from 66 countries.

⁶² Peres (1993). *New Middle East*.

Despite American hopes that multilateral diplomacy would result in a broadening of ties among the countries in the region, the record shows that, with few exceptions, the relationship between Israel and its Arab and Muslim neighbours remained conditional and dependent on political factors.⁶³

Conclusion

Despite the failure of the multilateral negotiations, the Madrid framework that Clinton inherited from his predecessor was not fundamentally flawed. That the bilateral channel produced movement between the Israelis and Palestinians, and the conclusion of a peace treaty in October 1994 between Israel and Jordan, showed that it provided an appropriate setting for the attainment of a negotiated settlement of the Arab-Israel dispute.

Although the Israel-Jordan peace treaty was achieved without direct US intervention, it was pursued in the context of America's power to dispense positive sanctions. The Administration was aware that Jordan's economic difficulties had been compounded by the cessation of US aid. Clinton encouraged the king's predisposition to resolve his country's differences with Israel, and held out the prospect of assistance to his country. Jordan's debt to the United States was forgiven. Signature of the peace treaty brought a resumption of American aid to Jordan; a supplementary allocation to Jordan in gratitude for the king's personal contribution toward an agreement at Wye in 1988; and a US-Jordan Free Trade Agreement in 2000. The United States continues to back the Israel-Jordan peace treaty, as it has the peace treaty between Israel and Egypt concluded in 1979, finding assistance to Egypt and Jordan less expensive than the cost of war were hostilities to break out among the parties once again.⁶⁴ Both treaties survive, despite the evident tensions between Israelis and Palestinians and elsewhere in the Middle East.

The multilateral channel fostered the development of links among all regional states and supported the bilateral negotiations by clarifying some issues that transcended Israel's borders. The engagement of the community of states interested in working through such matters with Israel, legitimated Israel

⁶³ Brackman. "The Multilaterals", p.1.

⁶⁴ Interview with Mr Gene Cretz, US Embassy, Cairo, 5 May 2002

as a regional actor. The Administration's principal achievement was a broadening acceptance of Israel, which was received as a regional partner at meetings in some Arab and Islamic countries. Concern began to be expressed, however, by some Arab states which felt threatened by a process that seemed to be moving inexorably toward enshrining Israel as the dominant regional nuclear and economic power. America was not particularly successful in assuaging these concerns. The working group on arms control was closed down, under challenge from Egypt over Israel's refusal to subscribe to the NPT, in order to protect the peace process and the broader Israel-Egypt relationship; and a proposed regional bank to assist the development of Arab countries did not get off the ground.

For a brief period, from 1992 to 1997, the multilateral channel had seemed productive and America's engagement in the overall peace process looked like producing a favourable political and economic outcome. The prospect of a Middle East peace settlement had attracted global attention, and the convening of economic summits complementary to the Madrid process had commanded considerable interest among governments, international organisations and the business community. The Administration failed to achieve its objective because the prospective economic outcome was dependent upon the political one. Neither Arab nor Muslim states, nor some other participating states, would commit themselves to an 'adaptive' functionalist role when confronted with evidence of a continuing conflictual relationship between the Israelis and Palestinians. Because that core issue was stalemated, the process had become dysfunctional.⁶⁵ An attempt by Israel to assassinate a Palestinian leader in the capital of a country with which it had concluded a peace treaty barely two years earlier brought to the surface deep-seated suspicions of Israel among regional states, and the whole multilateral process to an abrupt halt. It is unlikely that the United States will feel sufficiently confident to resume the process before a significant accommodation is reached between Israel and the Palestinians.

⁶⁵ See p.160 n29

Chapter 6

Advance and retreat: the United States, Israel and Syria; and Lebanon

When Bush met Assad in 1990, his Administration's attempt to foster a resolution of the Palestinian question was already a matter of record. The two leaders discussed the importance of moving ahead on a peaceful resolution of the Middle East dispute in accordance with UN Security Council Resolutions 242 and 338.¹ For the Americans, Arab acceptance of these resolutions as the basis of any negotiation was fundamental because it conveyed acceptance of Israel's existence. In 1991 the Bush Administration successfully persuaded Syria to attend an international conference, and was able to use Syria's agreement to pressure Israel into doing so too, thus bringing the Madrid conference to fruition.

The United States, Israel and Syria

The United States facilitated negotiation between the Israelis and Syrians in Washington in 1992. It became the go-between in their dialogue because Assad refused to extend the recognition to Israel that would have been implicit in direct negotiation. For Syria, it was one thing to participate in an international conference attended by an Israeli delegation, another to deal with Israel bilaterally on the basis of sovereign equality while Israel remained in occupation on Syrian soil. America began the negotiation process as a facilitator, later becoming a mediator² and a full participant,³ accepting that to pursue its objective of a comprehensive settlement of the Arab-Israel dispute it had to become fully engaged in the Israel-Syria dialogue. This was accepted more readily by the Syrians than the Israelis.⁴

¹ Muslih, M. (1994). "Dateline Damascus: Asad is ready." *Foreign Policy* Iss.96 Fall 1994. In the context of the 1974 Israeli-Syrian Disengagement Agreement, both sides had declared that the disengagement of forces was only a step toward a just and durable peace based on UN Security Council Resolutions 242 and 338. President Assad also made verbal commitments not to allow guerrilla raids from the Syrian side of the disengagement line. pp.145-6

² Rabinovich, I. (1998). *The Brink of Peace: the Israeli-Syrian negotiations*. Princeton NJ, Princeton University Press. p.203; Cobban, H. (1999). *The Israeli-Syrian Peace Talks: 1991-96 and beyond*. Washington DC, United States Institute of Peace Press. p.103

³ Cobban (1999). *Israeli-Syrian Peace Talks*, p.103

⁴ Ibid. pp.129-30

The Rabin government's ambassador to the United States and principal Israeli negotiator with the Syrians, Itamar Rabinovich, described the early rounds of bilateral meetings in Washington as 'defined by reluctance, scepticism, and suspicion'⁵ on both sides. The two countries assumed that the negotiations were likely to fail.⁶ As the intermediary, the Bush Administration found itself retailing diametrically opposed points of departure. Assad sought Israel's 'full withdrawal' from the Golan Heights, although in the negotiations with Baker leading to the convening of the Madrid conference he had entertained the possibility of some international peace-keeping force being stationed in the Golan Heights upon the withdrawal of Israeli forces. Assad's objective was irreconcilable with Shamir's view that Israel had met the requirement of UN Security Council Resolution 242 when it had returned the Sinai to Egypt.⁷

Whatever outcome was reached in respect of the Golan would be measured against the return of the Sinai to Egypt. Egypt's recovery of the peninsula was, in part, a function of Anwar Sadat's penchant for the grand gesture, such as his visit to Jerusalem. His public diplomacy had helped to establish his credentials among Israelis. Assad had an entirely different personality; both Baker and Rabinovich attest to his formalistic and legalistic negotiating style, 'a meticulous tactician'.⁸ His call for a 'dignified comprehensive peace that will be acceptable to our peoples, that would entail

⁵ Rabinovich. *The Brink of Peace*, p.40

⁶ Ibid. p.41. Personal relations among the delegates were ostentatiously avoided on the Syrian side, while formal exchanges between delegates were often acrimonious. Such was the atmosphere between the two delegations that attempts by American officials to bring the leaders of the two delegations together privately were also unproductive; Arabic News (2000). "On the tripartite meeting in Shepherdstown." *Arabic News*, 11 January 2000. At the Shepherdstown meeting eight years later the Israeli Prime Minister and the Syrian Foreign Minister did not shake hands.

[http:// www.arabicnews.com/ansub/Daily/Day/000106/2000010614.html](http://www.arabicnews.com/ansub/Daily/Day/000106/2000010614.html) - accessed 11 February 2003

⁷ Rabinovich. *The Brink of Peace*. Notwithstanding Shamir's interpretation of UN Security Council Resolution 242, which he sustained during eight rounds of Washington talks, he had secretly conveyed to the Syrians through a back channel in 1992 that his government did not rule out the possibility of some territorial concessions in the Golan as part of an Israeli-Syrian settlement. It seems unlikely that the American were aware of this at the time, because Israel's negotiators in Washington were still projecting the formal Israeli position. pp.41-3

⁸ Ibid. p.250; Seale and Butler. "Asad's Regional Strategy." They said: 'Syria has made little effort to explain itself to the world either because it imagined the rightness of its cause was self-evident or because Israel's influence over international opinion was judged too great to be worth challenging or simply because the Syrians failed to grasp the supreme importance of image-building and of the need for a systematic exposition of their policies'. p.41

no retraction of any of our national rights and would not hurt in any way the pride and dignity of our nation...[a] peace of the brave',⁹ lacked public appeal. The Americans tried to get him to meet personally with the Israeli leadership, as did the Egyptians, French and Israelis, but he declined their overtures. While a summit probably could not have produced a major breakthrough, its convening would have carried an important signal of the earnest of the two parties to negotiate a settlement that must inevitably address the future of the Golan region. Assad held tenaciously to his requirement that an Israeli commitment to withdraw from occupied Syrian territory was a precondition for negotiation, whose purpose would be confined to the modalities of the withdrawal.¹⁰

Any Syrian expectation that the Golan region could be returned in much the same way as the Sinai was returned to Egypt was questionable. The Golan area had been annexed to Israel, whereas the Sinai had not; and the act of annexing the Golan in 1981, after the return of the Sinai, was an unambiguous Israeli declaration that no further occupied territory would be ceded. America's position on Israel's occupation of the Golan Heights had been put in a letter to Rabin by President Ford in 1975. Baker explicitly reconfirmed Ford's commitment to give 'great weight to Israel's position that any peace agreement with Syria must be predicated on Israel remaining on the Golan Heights'¹¹ in his letter of assurances to Israel on the eve of the Madrid conference.¹² He also affirmed the applicability of the 'land for peace' principle to the Golan Heights; asserted that the United States would continue to oppose Israeli settlement activity in the occupied territories; and stated that the United States did not intend to recognise any unilateral extension of Israeli

⁹ Rabinovich, *The Brink of Peace*, cited at p.78. Assad seems consciously to have adopted the phrase 'peace of the brave', which was used by Clinton at the signing ceremony of the Israeli-Palestinian Declaration of Principles on 13 September 1993.

¹⁰ Having failed to recover the Golan territory in the October War of 1973, Assad announced Syria's acceptance of UN Security Council Resolutions 242 and 338 in 1974; and in discussion with such US officials as Henry Kissinger, Cyrus Vance, Zbigniew Brzezinski and Jimmy Carter, reiterated his commitment to ending military conflict and gradually moving toward a full peace settlement with Israel. He envisaged a phased process, with eventual normalisation of diplomatic and economic relations *after* Israel's complete withdrawal from the Golan and agreement with the Palestinians.

¹¹ Ford, G.R. (1975). Letter from President Ford to Prime Minister Rabin, 1 September 1975. Washington DC, The Brookings Institution.

http://www.brookings.edu/dybdocroot/press/appendix/appem_c.htm - accessed 19 February 2003

¹² Baker (1992). "U.S. letter of assurances to Israel", p.120

laws, sovereignty or administration to the Golan Heights.¹³ The apparent contradiction provided, at the very least, sufficient ambiguity for the Clinton Administration to be able to mediate on the Golan question when it took office.

In attempting to effect a deal on this matter, the Americans had to address conflicting interpretations of the area of land in question. The territory, like that of the West Bank, was susceptible of differing claims. Israel regards the boundary as the international border established in 1923 between what was then the British-mandated territory of Palestine and the French-mandated territory of Syria. Syria believes it should be the line where Syrian and Israeli forces were deployed on the eve of the June 1967 war.¹⁴ That line would give Syria access to the north-eastern shore of the Sea of Galilee.¹⁵

A popular belief among American officials was that there could be no peace in the Middle East without Syria.¹⁶ To achieve it, the Administration would need to establish a relationship of trust with Syria. Members of the Administration thought that Syria might find this attractive in the light of the demise of the Soviet Union, its former supporter; America's enhanced role in the post-Cold War world; and America's ability to constrain Syria's eastern neighbour. In seeking a cooperative relationship with Syria, the Clinton Administration was at odds with prevailing sentiment in the Congress. Even before either Clinton or his predecessor had assumed office, the International Security Assistance and Arms Export Control Act of 1976, and the Export Administration Act of 1979 required the secretaries of commerce and state to notify the Congress before licensing goods and technologies to countries that support acts of international terrorism. A by-product of the two laws was the

¹³ Ibid. pp.119-20

¹⁴ Rabinovich. *The Brink of Peace*. The border had been set by the British ten metres east of the shoreline of the Sea of Galilee. The 1948 war ended with Syria in control of some territories west of the international border, only to lose them to Israel in 1967. pp.141-2; Slater, J. (2002). "Lost Opportunities for Peace in the Arab-Israeli Conflict: Israel and Syria, 1948-2001." *International Security* Vol.27 No.1. There is a history of customary Syrian usage of the Sea of Galilee (Lake Tiberias). Both Britain and France allowed the Syrian government to have a pier on the lake, and Syrian villagers to use the lake for fishing, to feed their cattle, and for drinking water. The legitimacy of the Israeli claim is confused by its insistence on the one hand that the armistice lines must reflect the military outcome of the 1948 war, which resulted in Israeli territorial gains going well beyond the UN partition plan boundaries, while on the other demanding that Syria withdraw to the 1923 international boundary. pp.84-6

¹⁵ Prados. A.B. (2002). *Syria: U.S. relations and bilateral issues*. Washington DC, Congressional Research Service, The Library of Congress. pp.3-4

¹⁶ The aphorism expressed by American officials is: 'You can't have war in the Middle East without Egypt, or peace without Syria'.

so-called 'terrorism list', prepared annually by the State Department. The list identifies those countries that have repeatedly provided support for acts of international terrorism. Syria has appeared on it ever since it was first prepared in 1979,¹⁷ although it has not been implicated in a terrorist incident since 1986.¹⁸ No American aid had been provided to Syria since 1981.¹⁹

US legislation also required that normal relations with Syria be contingent upon improvements in its human rights record; a clear renunciation of terrorism and narcotics trafficking; and a reversal of other policies deemed inimical to American interests. Adherents to this view fear that Administrations may have made promises to ease sanctions (for example, removing Syria from the terrorism list) in order to obtain Syrian cooperation in regional affairs.²⁰ Specifically, they view Syria's alignment with the Gulf War coalition and participation in the Madrid process as tactical moves that offer Syria an end to regional isolation, a free hand in Lebanon, and access to financial support from the Gulf states. They believe that Syria will remain a threat to regional stability. An alternative view, advanced by both the Bush and Clinton Administrations, is that a better relationship with Syria could enhance prospects for achieving American objectives. The proponents of this view do not advocate the immediate termination of sanctions without further action on Syria's part. Rather, they support wider contacts between diplomatic and security officials of the two countries and the conclusion of a series of small, reciprocal steps that could lead to a warmer relationship over time. Assad had observed the terms of the 1974 Disengagement Agreement in the

¹⁷ Prados (2002). *Syria*. Syria interprets Hezbollah's resistance to Israel's military presence in southern Lebanon and the Palestinians' pursuit of armed struggle in the Israeli occupied territories as legitimate resistance activity, not terrorism. pp.9, 11-12; Katzman (2002), *Terrorism*. The United States avers that Syria supports terrorist groups by providing safe haven to several Palestinian groups; and that transit of Damascus airport was used for the re-supply of Hezbollah, during the period in which it conducted raids against Israeli forces in southern Lebanon and sometimes against northern Israel. The State Department has noted that Syria has effectively proscribed attacks launched from its territory or against Western targets. For its part, Syria states that it is prepared to expel militant Palestinian and other groups if provided with direct evidence of their involvement in terrorist activity. p.31

¹⁸ Seale and Butler. "Asad's Regional Strategy", p.29

¹⁹ Prados (2002). *Syria*, p.11

²⁰ Rabinovich. *The Brink of Peace*, is satisfied that the removal of Syria from the terrorism list as a means of encouraging movement in Syria's negotiation with Israel was contemplated by officials during the transition from the Bush to the Clinton Administration, but not pursued. p.83

region; and the future course of US-Syrian relations could affect significantly the outlook for regional security and lasting peace in the Middle East.²¹

The 'pre-negotiation process'

Bush's meeting with Assad in 1990 marked the beginning of America's move to build a relationship with Syria based upon cooperation. But even during the period of heightened expectation of a 'new world order' at the end of the Gulf War, the Congress retained doubts about Syria. In March 1991, 68 senators released a letter to Syria expressing gratitude for Syrian participation in the Gulf War, but one-third of the membership of the Senate did not associate themselves with it; and a House resolution was introduced in Congress that placed several restrictions on Syria. The conditions laid down by Congress heavily intruded into the domestic politics of Syria.²² This could have made it extremely difficult for American Administrations to work for improved relations between the two countries, but it seems not to have disturbed the Syrians unduly. During the ensuing negotiation with Israel, Rabinovich described the Syrians as being at times more interested in their dialogue with Washington than in their bargaining with Israel.²³ Implicit in his observation is the thought that Syria may have been receptive to the application of pressure by the Americans in the hope that the future would bring American rewards.

Clinton gambled upon an eventual relaxation of congressional attitudes if a peace agreement were to be concluded between Israel and Syria. In the meantime, and unable to offer immediate inducements to Syria, his Administration explored Syria's position for any hint of flexibility: Christopher visited Damascus on his first tour of the Middle East in February 1993; and the assistant secretary of state for Near East affairs, Edward Djerejian, followed in April, ostensibly to brief Assad on Rabin's initial meeting with Clinton in March. Clinton had made clear to Rabin his view of the centrality of peace with Syria. He told Rabin that 'he saw peace with Syria as the key to an Israeli-Arab settlement and to a new geopolitical order in the

²¹ Prados (2002). *Syria*, pp.15-16

²² Rabil. "The Ineffective Role of the US in the US-Israeli-Syrian Relationship", p.425

²³ Rabinovich. *The Brink of Peace*, pp.252-3

region'.²⁴ The prime minister remained sceptical that Assad would move, and reserved about Israeli domestic opinion were an agreement to be concluded on the basis of withdrawal from the Golan Heights. The subject had not formed part of his election platform and withdrawal would need to be put to the Israeli public at a referendum. Djerejian, a former US ambassador to Syria, carried a letter to Assad from Clinton seeking clarification of Syria's concept of peace; whether Assad was prepared to engage in public diplomacy; and whether Syria was prepared to participate in a back channel, apart from the Washington talks, that could improve communication with Israel.²⁵ The response to the overture was negative. In respect of any discrete channel, Assad said that the way to move forward was for the United States to serve as 'a repository' of the two parties' positions.²⁶

Christopher was prepared to act as a 'special channel' between Rabin and Assad. The Israelis were pleased to endorse his role as go-between, particularly in view of his success in working with the Syrians to obtain a cease-fire agreement with the Hezbollah in southern Lebanon, effected on 31 July 1993.²⁷ Rabin posed three questions that he asked Christopher to put to Assad when they met in Damascus on 4 August. Predicated on a hypothetical 'assumption' that Israel would return the Golan in exchange for peace and security, they were: whether Syria would be willing to sign a peace treaty with Israel without linkage to the pace of progress with others; whether Syria was ready for a real peace including normalisation, diplomatic relations, and the other paraphernalia of real peace; and whether Syria was ready to offer elements of peace before the completion of withdrawal from the Golan?²⁸ Christopher returned to Israel on 5 August, briefed Rabin on Assad's response, and then flew back to Damascus to convey Rabin's reaction. The Americans were encouraged by the general tenor of the exchange and believed that Assad

²⁴ Ibid. p.92

²⁵ Ibid. p.93

²⁶ Butler, L. (ed.) (1997). "Fresh Light on the Syrian-Israeli Peace Negotiations: an interview with Ambassador Walid Al-Mousalem." *Journal of Palestine Studies* Vol.XXVI No.2 (Winter 1997). Al-Mousalem offered a meaning of 'repository' when he described how the negotiating process eventually worked: 'All three delegations take their own minutes. In addition, we formally deposit with the Americans any subject on which the Syrians and Israelis have agreed...Then these points...are to be transferred to a specialized committee for drafting'. pp.83-4

²⁷ Rabinovich. *The Brink of Peace*, pp.103-4

²⁸ Ibid. pp.104-5

had accepted the basic equation of peace in return for withdrawal.²⁹ They thought that the Syrian response was worth pursuing further, but Rabin felt that Assad had attached too many conditions to his hypothetical 'offer'.³⁰ He also had to take into account Israel's concurrent secret negotiation with the Palestinians at Oslo. While Christopher knew that Israel was participating in the Oslo talks, the Administration was unaware that a breakthrough on that front was imminent.

Rabin sensed that the Israeli public would have great difficulty in accepting agreements that postulated roughly simultaneous withdrawals from the Gaza Strip, Jericho and the Golan region, should the Palestinian and Syrian tracks be concluded at about the same time. Indeed, Clinton acknowledged that he had urged the prime minister to prepare the Israeli public for the need to make sizeable concessions.³¹ Rabin told Christopher that in the event of an agreement with Syria, the agreement with the Palestinians would have to be limited to 'Gaza first', but that if the first agreement were to be made with the Palestinians, both Gaza and Jericho would be included.³² He seems to have concluded privately in early August that the Palestinian track offered the better immediate prospect. Peres pressed ahead and wrapped it up later that month, thus effectively putting the Syrian track on hold.

On learning of the breakthrough with the Palestinians, Clinton ensured that the tenuous sense of trust thus far established with Assad was not lost. He rang Assad on 9 September to reassure him that the United States remained committed to a Syria-Israel agreement, and to ask him to send a representative to the signing of the Palestinian Declaration of Principles on 13 September 1993. Assad reportedly sought reassurance of Clinton's commitment to continue with the Syrian track, leading Clinton to conclude that Syria did not want to be 'abandoned'.³³ While welcoming this, Rabin told Clinton that he needed time for the Israeli public to digest developments with the Palestinians and asked for the president's help in persuading Assad to wait until the end of the year. Rabin's preferred tactic was to 'effect a real change on the ground,

²⁹ Shlaim (2000). *The Iron Wall*, p.533

³⁰ Quandt (2001). *Peace Process*, p.60

³¹ Cobban (1999). *Israeli-Syrian Peace Talks*, p.60

³² Rabinovich. *The Brink of Peace*, p.105

³³ Ibid. Citing a *New York Times* report of an interview given by Clinton, 11 September 1993. p.118

let the Israeli public digest it and appreciate the accruing benefits, and then move on to the next agreement'.³⁴ So Clinton called Assad again, reassured Assad of his and Rabin's commitment to move forward with Syria in a few months, and asked him specifically to restrain the 'rejectionist' Palestinian leaders residing in Damascus³⁵ who vilified Arafat for selling out through the Oslo accords.³⁶ Despite the American and Israeli commitment, Assad remained aggrieved at Arafat's pre-emption. His concern about being marginalised may have been due to the Administration not having provided sufficiently robust assurances of the importance attached to an Israel-Syria agreement. Rabinovich attributes this diplomatic glitch to the Americans not having wholly accepted Rabin's decision in favour of the Palestinian track.³⁷

What the Administration did not know at the time was that Rabin was becoming uncomfortable with America's intermediary role. He feared that the Administration, which had found Assad's responses in early August encouraging, would pressure him to make concessions in the interest of concluding an agreement with Syria. Ross had visited him in October 1993 conveying Christopher's view that agreement had actually been reached in August, and that Christopher 'preferred to move with Syria for a whole host of reasons, including the fact that his own credibility was at stake'.³⁸ The reference to 'credibility' suggests that Christopher may have imbued his presentations to Assad with the authority of the US Administration, but Assad could hardly have been expected to receive the secretary of state's representations otherwise.³⁹ By the time Rabin met Clinton again on 12 November, the Jordanian track had also begun to show some prospect and Rabin told the president that his priorities were now to implement the Oslo accords and to move forward with Jordan. Discrete negotiations with the

³⁴ Ibid. p.118

³⁵ Strindberg, A. (2003). "Syria's Palestinians under Fire." *Middle East International* No.707 (22 August 2003). Damascus became the exile headquarters for the Alliance of Palestinian Forces, a cross-factional umbrella organisation established in order to reject the Oslo process and challenge Arafat's leadership. p.27

³⁶ Rabinovich. *The Brink of Peace*, p.119

³⁷ Ibid. p.119

³⁸ Ibid. p.125

³⁹ Cobban (1999). *Israeli-Syrian Peace Talks*, p.74. During the author's interview with Dennis B. Ross he acknowledged that Christopher and he conveyed the messages of the Israeli government and their own interpretations of them, drawing a distinction between the two. Assad may well have concluded that the Americans would be able to persuade the Israelis to their interpretation.

Palestinians and Jordan had proven effective and, in what may well have been an oblique criticism of Christopher's well-intentioned mediation, he stressed the importance he continued to attach to the opening of a direct channel with the Syrians.

For the Americans, it was important to clarify whether Assad's interest in a settlement with Israel went beyond a general expression. Clinton decided to meet him in Geneva in January 1994, and Christopher visited Damascus to prepare for the meeting. As some public gesture by Assad would be helpful in Israel and could foster a more benign congressional attitude towards Syria, Christopher persuaded the Syrians to receive a delegation of staffers working for the congressional Committee on International Relations to seek information on the fate of Israeli servicemen missing in action, and exit authority for 800 Syrian Jews.⁴⁰ Christopher also sought, but unsuccessfully, to persuade the Syrians to establish a discrete channel between Israeli and Syrian generals to discuss questions of security in some detail.⁴¹ In the absence of such a facility, security matters continued to be discussed at a more superficial level within the Washington forum.⁴²

Clinton's meeting with Assad convinced him of Assad's sincerity in seeking peace.⁴³ At their joint press conference on 16 January, Assad said: 'Syria seeks a just and comprehensive peace with Israel as a strategic choice that secures Arab rights, ends the Israeli occupation, and enables all peoples in the region to live in peace, security, and dignity'.⁴⁴ Clinton stated his view of Syria as 'the key to the achievement of an enduring and comprehensive peace'.⁴⁵ He said that he had discussed with Assad the possibility of American troops being deployed in the Golan Heights in the context of any peace agreement, but that no commitment could be made in the absence of an expressed decision by Israel and Syria, and that the matter would need to be

⁴⁰ Prados (2002). *Syria*. Syria's Jewish community was estimated at 3,770 in early 1992. By early 1997 only a few hundred remained in Syria, travel permits having been issued to all Jews wishing them. p.11

⁴¹ Rabinovich. *The Brink of Peace*, pp.127-8

⁴² Morris. *Righteous Victims*, pp.632-3

⁴³ Clinton, W.J. (1994). Interview with Reporters aboard Air Force One, 16 January 1994. *Public Papers – President Clinton, 1994*, p.86

⁴⁴ Clinton, W.J. (1994). The President's News Conference with President Hafiz al-Asad of Syria in Geneva, 16 January 1994. *Public Papers – President Clinton, 1994*, pp.81-2

⁴⁵ *Ibid.* p.82

discussed with the Congress.⁴⁶ He acknowledged the need to address problems in the US-Syria bilateral relationship and said that the two foreign ministers had been instructed to do so 'in detail and openly'.⁴⁷ The two leaders had also discussed the question of Lebanon and the application of the Taif agreement to that country, which America supported. Assad had 'agreed that there should be a successful conclusion of the peace process which left Lebanon free and independent as a nation'.⁴⁸

Rabin, who had watched the press conference live on television, was briefed on the content of the meeting by American officials immediately after the summit. He was disappointed with the outcome, feeling that Clinton had tilted too far in Assad's favour, and was concerned about the impact that would have on Israeli opinion. Assad's general commitment to 'peace' was an insufficient guarantee. America's welcoming of the principle was seen as

a classic instance of the stark difference between the perspective of a small state holding on to every square inch of land and any iota of dignity and that of a vast superpower seeking compromise and agreement and treating the petty concerns of the local parties with a mixture of impatience and condescension.⁴⁹

Rabin was to tell the Administration that, when America's 'self-interest, goodwill, friendly persuasion, and gentlemanly mediation'⁵⁰ failed to produce results with the Syrians, recourse to more persuasive diplomatic instruments might be necessary. There was never a serious discussion of resorting to that alternative and Rabinovich understood that the Administration was not attracted to the option.⁵¹ For its part, the Administration was conscious that its role in the negotiating process was changing. As Christopher and Ross shuttled between Washington, Damascus and Jerusalem, they became fully-fledged partners in the negotiation. Such discomfiture as the Israelis felt about this was related to timing as well as to role-change. While Rabin

⁴⁶ Clinton, W.J. (1994). Interview with Reporters aboard Air Force One, 16 January 1994. *Public Papers – President Clinton, 1994*, p.89

⁴⁷ Clinton, W.J. (1994). The President's News Conference with President Hafiz al-Asad of Syria in Geneva, 16 January 1994. *Public Papers – President Clinton, 1994*, p.82; Satloff, R. (1995). "The Path to Peace." *Foreign Policy* Iss.100 Fall 1995, records that the mechanism died an early death. p.115

⁴⁸ Clinton, W.J. (1994). The President's New Conference with President Hafiz al-Asad of Syria in Geneva, 16 January 1994. *Public Papers – President Clinton, 1994*, p.84

⁴⁹ Rabinovich. *The Brink of Peace*, p.144

⁵⁰ Ibid. p.188

⁵¹ Ibid. p.188

accepted that the United States would make its own judgements, he did not want it to play a mediatory role prematurely: America's authority ought to be reserved to assist in resolving difficult issues at the end of the process.⁵²

Clinton's reference to the possibility of US troops being stationed in the Golan region provoked an orchestrated campaign within the United States against such an eventuality, fanned by those members of the pro-Israel lobby who favoured Israel's opposition Likud Party.⁵³ It began in May 1994, but gained greater significance when the Republicans took charge of both houses of Congress and all committee chairs after the mid-term elections in November.⁵⁴ American forces participated in the Multinational Force and Observers (MFO), established in 1982 to monitor the peace between Israel and Egypt in the Sinai Peninsula. The MFO worked well, but those Americans opposed to the creation of a comparable force for the Golan Heights were not persuaded by its example and conducted a particularly dirty campaign.⁵⁵ The subject was dropped. Six years later, Clinton recalled having discussed the matter with Rabin, saying 'it was clear to me, even then, that both sides were looking for a way to resolve this that would not require an international force including American troops there'.⁵⁶

If Clinton was encountering domestic difficulties, so was Rabin, whose political support declined as the peace process progressed. The Golan was not just a matter of security. If it were returned to Syria, what would be the future of some 12,000 Israeli settlers in the territory? Unlike the settlers in the West Bank, those in the Golan region were predominantly Labor supporters who had

⁵² Ibid. p.134

⁵³ Cobban (1999). *Israeli-Syrian Peace Talks*, p.81; Noyes. "Does Washington Really Support Israel?" The American Jewish organisations opposed to the peace process, and in particular to an Israeli withdrawal from the Golan Heights, enlisted the help of the evangelical Christians' Israel Public Action Campaign to stir up opposition to any US peace-keeping role in the Golan. p.146

⁵⁴ Rabinovich, in *The Brink of Peace*, said: 'At issue were both the determination of the Republican Congressional leadership...to demonstrate that the president was not free to run U.S. foreign policy by himself, and the specific objection of certain Republican senators and congressmen or some of their supporters to the Clinton Administration's and Rabin government's policies in the peace process'. pp.165-7

⁵⁵ Ibid. An organised letter-writing campaign claimed that 'Any such deployment of U.S. troops will begin with good intentions and end with American body bags and vehement American protest demonstrations. This will no doubt lead to a rise in anti-Semitism in the U.S.' p.166

⁵⁶ Clinton, W.J. (2000). The President's News Conference, 29 March 2000. *Public Papers – President Clinton, 2000*, p.650

been encouraged to establish themselves in occupied territory by the party that, under Rabin, was now entertaining the question of withdrawal.⁵⁷ The religious party of Sephardic Israelis (Shas) withdrew from the coalition government, resulting in a reduction of the government's majority to five Knesset seats. In 1994 an effort was made in the Knesset to pass a 'Golan entrenchment law' that would have made cession of that territory extremely difficult. It was defeated, and another attempt was made to adopt it in 1995, by which time two members of the 'Golan lobby' were talking of leaving the Labor party. A vote on 26 July 1995 ended in a draw, which meant that the motion failed to pass.⁵⁸

Assad, too, was under some constraint, though of a very different order. He adhered to the Arab position of the 1970s, which included: no negotiations with Israel before its withdrawal from occupied territory; no face-to-face negotiations with Israel; and no separate deals.⁵⁹ He was critical of Sadat, Arafat and, later, King Hussein for their accommodations with Israel. It was important to his self-image as an Arab nationalist⁶⁰ that he demonstrate an ability to recover Syrian territory without compromise or impairment of Syrian 'dignity'. He had shown every indication since 1974 of a preparedness to hold out until he got back what he believed was rightfully Syrian, and seems to have hoped that Christopher's mediation signalled that the United States could eventually persuade Israel to meet his demands. Assad also had a domestic constituency to satisfy. The 100,000 Syrians expelled from the Golan area in 1967, and their descendents, now numbered over 400,000 due to natural increase.⁶¹

After being briefed on the Clinton-Assad summit by Ross, Rabin co-opted him to tell the media in Jerusalem that Assad was ready for peace and

⁵⁷ Rabinovich. *The Brink of Peace*, pp.73, 81; Cobban (1999). *Israeli-Syrian Peace Talks*, p.71

⁵⁸ Rabinovich. *The Brink of Peace*. The proposal was that a special majority (70 or 80 members of the 120-strong parliament) would be required in order to repeal the 1981 law of annexation, to be backed by a special majority of 65 per cent in a national referendum. pp.190-1

⁵⁹ Miller, R.R. (2000). "The Israeli-Syrian Negotiations." *Mediterranean Quarterly* Vol.11 No.4. p.130

⁶⁰ Jouejati, M. (2001). "An Israeli Insider's Views." *Journal of Palestine Studies* Vol.XXXI No.1 (Autumn 2001). p.97; Sadowski, Y. (2002). *The Evolution of Political Identity in Syria. Identity and Foreign Policy in the Middle East*. S. Telhami and M. Barnett. Ithaca NY, Cornell University Press, argues that pan-Arabism in Syria has declined from its apogee in the 1970s and that Syria's foreign policy under Assad did not show a strong ideological dimension. p.151

⁶¹ Hinnebusch, R.A. (1996). "Does Syria Want Peace? Syrian policy in the Syrian-Israeli peace negotiations." *Journal of Palestine Studies* Vol.XXVI No.1 (Autumn 1996). pp.50-1

that Assad had demanded full withdrawal from Golan in return. Simultaneously, the Israeli deputy defence minister was instructed to inform the Knesset that, if an agreement involving 'significant territorial concessions' was envisaged, the government would submit it to a popular referendum. By bringing the notion of a referendum into the open in January 1994, Rabin sought both to calm down the Israeli political system and, while underlining to the Americans and Syrians the seriousness of the negotiation with Syria, to confront Assad with the need to appreciate that an Israeli government would require endorsement by referendum of so significant a matter.⁶²

Although the Administration was aware of Israel's concerns, it may not have appreciated the strength with which they were held. When Israeli and Syrian ambassadors in Washington returned to their bilateral negotiations in February 1994, Christopher invited them to his office. He heard a reiteration of their well-worn positions, but saw no sign of movement. Three days later, an 'angry and bitter' secretary of state called in the Israeli ambassador.⁶³ Rabinovich reported on the encounter. Rabin was not impressed by it: these were existential issues for Israel, not a matter of 'credibility'. Rabin would insist on his position even at the risk of derailing the whole Israeli-Syrian track.⁶⁴ In the light of this, the Americans decided to change tack: if prodding was not working, perhaps enticement might be worth a try. They sought to redress Rabin's grievances during his visit to the White House in March 1994. Clinton asked him to put together two packages: one addressing the timetable, phasing, and security issues that the Americans could convey to the Syrians; and the other covering the bilateral security aid that Israel might seek from America in the event of an Israel-Syria agreement.⁶⁵ The implication that America would meet Israel's shopping list could not, however, address Israeli susceptibilities. Israel's insecurity was not solely an externally induced phenomenon that could be assuaged by the provision of hardware and peace-keepers. All that Clinton could do was to try to ameliorate Israeli concerns by holding out the prospect of meeting Israel's tangible needs. Rabin ceded to American persuasion, providing the Administration with a statement of Israel's

⁶² Rabinovich. *The Brink of Peace*, p.130

⁶³ Ibid. p.133

⁶⁴ Ibid. p.134

⁶⁵ Ibid. p.136

position that could be put to the Syrians. He suspected, however, that Assad would probably respond with a lower counter-offer that the Americans would then try to bridge.

Armed with Rabin's package, Christopher returned to Damascus.⁶⁶ During the course of that meeting Assad made explicit his demand that 'full withdrawal' meant to the line of 4 June 1967. The Israelis felt that Assad had indulged in a sleight of hand in declining, until then, to define his objective, but given the extremely small area of territory in question, Christopher was not greatly impressed by either the Israeli or Syrian claim to it.⁶⁷ After digesting Assad's claim, Rabin agreed to Christopher discussing the matter during his next meeting with Assad on 21 July 1994, on the basis that it was Christopher's 'impression' that Israel would be prepared to consider the 4 June line in the context of the hypothetical 'assumption' floated the previous August. Assad responded more sympathetically this time, clearly delighted that the Israeli government was signalling its preparedness to negotiate on the basis of all occupied Syrian territory, and perhaps also jolted by the imminent signing of the Israel-Jordan Washington Declaration on 25 July. He told Christopher that he was prepared to proceed to negotiation on the basis of this 'clarification'; and that he was willing to have any deal implemented over two phases of six months each, a faster timetable than that envisaged by the Israelis. But he wanted to defer the establishment of diplomatic relations until after the conclusion of a comprehensive settlement. A further significant change in his position was that he now agreed to direct negotiation through the countries' ambassadors in Washington. Secret talks began on 29 July 1994 and continued for about a year, the parties' leaders often meeting at Dennis Ross's home.⁶⁸ When the negotiation ran into difficulties, the Administration urged Rabin and Assad to make new decisions and to move forward during the course of visits to the region by either Christopher (twice) or Ross (once).⁶⁹

While the ambassadorial negotiation was in progress, substantive movement toward a comprehensive settlement of the Arab-Israel dispute was

⁶⁶ The journey was to coincide with Christopher's attendance at the signing of the Gaza-Jericho Agreement in Cairo on 4 May 1994.

⁶⁷ Rabinovich, *The Brink of Peace*, pp.143-4

⁶⁸ Ibid. pp.147, 149

⁶⁹ Ibid. p.148

in train elsewhere. The Washington Declaration was quickly followed by the Israel-Jordan peace treaty on 26 October, and the first Middle East and North Africa Economic Conference in Morocco on 30 October 1994. The Israelis and Palestinians were moving haltingly toward an Interim Agreement, and it was clear that Syria was becoming marginalised. The Americans hoped that in the context of these developments Assad would become receptive to reaching some accommodation with Israel, but he showed no sign of moderating his demands. The Clinton Administration attached importance to Syria catching the tide. There would be general elections in Israel and the United States in 1996 and if the substance of the Israeli-Syrian negotiation was not to become caught up in the two countries' electoral processes, agreement ought to be reached during 1995. The Americans pressed the Syrians for some gesture that would engage the Israeli people, but despite incremental movement on matters such as the timetable for any withdrawal, there was still nothing from the Syrian side to reassure the Israeli public. The Americans did gain approval for interviews with the Syrian foreign minister in Washington by Jewish leaders and journalists, but Rabinovich assessed the performance as stilted and has said that it did not achieve the desired impact.⁷⁰

America tried again to encourage Syria to engage in public diplomacy in October 1994 when Clinton visited the Middle East to attend the signing of the Israel-Jordan peace treaty. To assuage Americans who opposed his also visiting a place on their country's terrorism list, it was agreed that Clinton would travel to Damascus on the condition that Assad would employ, at their joint press conference, previously agreed language taking exception to terrorism. Assad did not do so and, again, failed to make any impact with Israelis on an issue that was at least as significant to them as to American opinion.⁷¹ He did, however, spell out Syria's commitment to peace and the establishment of normal relations with Israel 'in return for Israel's full withdrawal from the Golan to the line of June 4, 1967, and from the south of Lebanon';⁷² and in their private discussion Assad offered Clinton some sign of flexibility on points of detail. One reporter at the joint press conference

⁷⁰ Ibid. pp.159-60

⁷¹ Ibid. p.161

⁷² Clinton, W.J. (1994). The President's News Conference with President Hafiz al-Asad of Syria in Damascus, 27 October 1994. *Public Papers – President Clinton, 1994*, p.1882

pointedly questioned Assad on the genuineness of his commitment to peace, drawing attention to the fact that Assad had not visited Israel, had never met Rabin, and that Syria supported Hezbollah and the rejectionist groups in Damascus. This elicited the viduous response: 'There's nothing we have that proves our desire for peace except our saying that we want peace'.⁷³

During Christopher's visit to Damascus preparatory to that of his president, Christopher obtained Assad's agreement to another procedural milestone, a meeting between Israeli and Syrian high-ranking military officers.⁷⁴ The chiefs of staff of the two countries visited Washington separately in November 1994, and met together there in December. By agreement, Ross prepared a record of the aims and principles explored by the two sides at the meeting, which was designed to provide a framework for ensuing discussions.⁷⁵ A further meeting of the military chiefs in June 1995 addressed such questions as the demilitarisation of zones on either side of any agreed border; and the placement, or retention, of early warning stations. Although the negotiation among the military advisers was limited, significant agreement seems to have been reached. Ross prepared a summary record of the discussion but, unlike the aims and principles document, its text did not prove acceptable to either the Israeli or Syrian leaderships.⁷⁶

The widening circle of Israeli participants in negotiation with the Syrians, and the concomitant preparation of position papers, led to a leak at the Israeli end of the aims and principles paper and criticism of it. Syria responded to the leak with Radio Damascus broadcasting a commentary that carried a Syrian view of the negotiation.⁷⁷ These developments sparked the fears of the 'Golan lobby' and prompted the proposed 'Golan entrenchment law'.

The Israel-Palestinian Interim Agreement had been signed in September 1995, and the Americans believed that with the passing of that marker an opportunity now existed to focus on the Syrian track. They interpreted an expression of resentment by Assad of Israel's growing

⁷³ Ibid. pp.1883-4

⁷⁴ Christopher, W. (1995). "Opening Remarks of a Press Briefing Following his Meeting with President Asad, Syria, 10 June 1995." *US Department of State Dispatch* Vol.6 No.25 p.505

⁷⁵ Cobban (1999). *Israeli-Syrian Peace Talks*, pp.67-8

⁷⁶ Rabinovich. *The Brink of Peace*, pp.185, 215

⁷⁷ Ibid. p.185

acceptance in the Arab world⁷⁸ as indicating a fear of isolation. Assad had, however, said to an interviewer that 'peace is our strategic choice, but not at any price'.⁷⁹ Christopher had been told by Rabin that his own electoral timetable required that any agreement be completed by April 1996.⁸⁰ His assassination in November 1995 required that it be rethought. Clinton informed Peres at Rabin's funeral that, from an American perspective, he would be available to help with negotiations until July 1996.⁸¹ But the issue was not so clear-cut for Peres who had to decide whether to seek an immediate mandate as Rabin's successor; to hold elections on the due date on 29 October; or to test his mandate in May after six months in the premiership. He decided to give the negotiation with Syria a chance before naming a date for the elections, settling on this course after learning of the progress that had been made.

Peres floated an idea with the Americans that very considerably embellished any prospective settlement with the Syrians. In December 1995 he proposed that any such settlement be integrated into a larger scheme that would include a bilateral American-Israeli treaty and a regional security pact. Clinton reacted cautiously: the relationship between the United States and Israel was accepted within the Arab world as a fact of life, but its formalisation in a treaty could only be seen by Arab states as provocative. It would impair America's ability to lead the peace process.⁸² For the time being, the Administration preferred to proceed along already established lines; and Christopher resumed his shuttle in mid-December. On this occasion he carried a message from Peres warning Assad that, notwithstanding Peres's disposition to go 'fast or slow, broad or narrow' according to Assad's preference, the situation in south Lebanon and Syria's support for Hezbollah was unacceptable to Israel and that Peres would have to react forcefully if violence continued.⁸³ Rabinovich detected no willingness on Assad's part to invest in 'curbing the violence in south Lebanon, so as to expand the base of public support in Israel

⁷⁸ Ibid. p.193

⁷⁹ Heikal. *Secret Channels*, p.547

⁸⁰ Rabinovich. *The Brink of Peace*, p.193

⁸¹ Ibid. p.199

⁸² Ibid. pp.206-7

⁸³ Ibid. p.207

for the policies of a new prime minister who was willing to transform the negotiation with Syria'.⁸⁴

Formal negotiations

Christopher was able, however, to persuade Assad to show flexibility on a number of issues of importance in the context of the ongoing negotiation. The Administration was sufficiently encouraged by this to invite the Israelis and Syrians to a conference at the Wye River Plantation, where detailed negotiations were undertaken in December 1995 and January and February 1996.⁸⁵ The agreed cyclical framework was that discussion would be held over two weeks, after which Christopher would travel to Israel and Syria to encourage movement on 'sticky' issues.⁸⁶ The delegations at Wye seemed to have been genuinely seeking agreement. At the conclusion of the first round, Ross declared that 'more was accomplished during these six days than in the previous four years of negotiation'.⁸⁷ His summary of the discussion was endorsed by both parties and served as the agenda for Christopher's journey.

The United States was now to face another timing problem. During Christopher's visit to Jerusalem in January 1996, he was told that the Israeli political calendar required that Peres had to decide by early February whether to go for a May election. The second round of Wye talks began on 24 January, but even before its scheduled ending Peres had decided to seek a mandate in May. The Americans had hoped that Peres would opt for the October date; and it is probable that Assad's negotiating tactic was predicated on America pressuring Israel to conclude an agreement by October. The announcement of an early election, and the conclusion in February 1996 of a defence cooperation agreement between Israel and Turkey, complicated Syria's position. Nevertheless, the Administration continued to press ahead: a third round of negotiations began on 28 February. As that round opened, the Palestinians launched a series of bomb attacks in Ashkelon, Jerusalem and Tel

⁸⁴ Ibid. p.208

⁸⁵ There was a change in the leadership of the Israeli team at the Wye talks. Peres charged Uri Savir, who had negotiated the two Oslo accords on Israel's behalf, with the task while retaining Rabinovich in an advisory role.

⁸⁶ Christopher, W. (1996). "Opening Statement by Secretary Christopher at a Press Conference Following a Meeting with Syrian President Asad, Damascus, Syria, 12 January 1996." *US Department of State Dispatch* Vol.7 Nos 1-3 p.3

⁸⁷ Rabinovich. *The Brink of Peace*, p.210

Aviv designed to frustrate the whole peace process. The attacks put Peres on the defensive politically, Syria did not denounce them, and Peres suspended the Wye negotiations on 4 March.

With the peace process stymied on both the Palestinian and Syrian fronts, the Administration had to employ counter-measures to arrest its further decline. It was powerless to prevent sporadic terrorist attacks, but it could marshal international condemnation of them. The Americans obtained the assistance of Egypt in organising a summit at Sharm el-Sheikh on 13-14 March to enhance the peace process, to promote security, and to combat terror.⁸⁸ Its secondary objective may have been to enhance the prospects of Peres's re-election. Netanyahu, his principal challenger, had already signalled his disagreement with the peace process, with implications for Syria no less than for the Palestinians. Syria and Lebanon did not attend the meeting.

Iran was a particular subject of overt criticism at the summit for its assistance to the two actors whose activities had proven the most threatening to the peace process, Palestinian Hamas and Lebanese Hezbollah.⁸⁹ Clinton was careful to draw a distinction between the policies of Syria and Iran.⁹⁰ This did not mollify the Syrians, who saw the prospect of concluding a peace treaty in 1996 slipping away from them. They had been able while negotiating with the Israelis at the Wye River Plantation, and without publicity, to restrain Hezbollah's activity in Lebanon. Israel's suspension of the Wye talks, and the carefully stage-managed criticism voiced at Sharm el-Sheikh, gave the Syrians an excuse to look the other way while Hezbollah undertook resurgent activity. Having conveyed Peres's warning to the Syrians, Christopher was well aware that incidents in southern Lebanon could jeopardise any future discussion

⁸⁸ Clinton, W.J. (1996). The President's News Conference with President Hosni Mubarak of Egypt, 13 March 1996. *Public Papers – President Clinton, 1996*, p.439; cf. Cobban (1999). *Israeli-Syrian Peace Talks*, p.154. She argues that the United States and Israel wanted to put the emphasis on fighting terrorism, while the Arab delegations wanted the focus placed on supporting the peace efforts.

⁸⁹ Clinton, W.J. (1996). The President's News Conference with Prime Minister Shimon Peres of Israel in Jerusalem, 14 March 1996. *Public Papers – President Clinton, 1996*. Clinton acknowledged that in 1995 most European leaders had opposed America's policy of containment of Iran. He went on to say that: 'based on my private conversations [on the subject of Iranian support for terrorism at Sharm el-Sheikh], I did believe that there was a change in attitude and direction in the minds of some of the European leaders with whom I met'. p.450

⁹⁰ Ibid. p.449. Clinton said: 'Syria does not call today, like Iran does, for the destruction of Israel. Syria is negotiating with Israel to look for a peace, which Iran refuses completely'.

between Israel and Syria. Conversely, the Administration was also aware that the impact of Hezbollah's activity upon Israeli citizens in the north of the country was clearly marginal.⁹¹ The impact was borne principally by the quisling South Lebanon Army, and to a lesser extent by the IDF, operating in the Israel-imposed security zone within southern Lebanon. No occupying force could expect to be totally immune from attack by activists of a host nation.

The Administration advised Peres to avoid a military operation in south Lebanon, and urged Assad to do what he could to restore calm.⁹² These representations proved ineffectual. Peres was determined to demonstrate to the Israeli electorate that he could be tough when necessary. Israel launched Operation Grapes of Wrath against southern Lebanon on 11 April 1996. Israeli shells struck a UN compound at Qana where hundreds of Lebanese villagers had taken refuge. The incident provoked international condemnation; and caused many Arab Israelis to withhold their support for Peres in the general election in May.⁹³ Once again, Christopher found himself negotiating the terms of a cease-fire agreement⁹⁴ rather than pursuing a peace settlement.

Following Netanyahu's electoral victory in May, the United States had to deal with an Israeli leader who was implacably opposed to withdrawal from Syrian territory. Not only had he criticized Rabin's and Peres's policies, he had contributed materially to the building of the 'Golan lobby' that had sought to pass the 'Golan entrenchment law' in 1994 and 1995. A third attempt to adopt such a law was made in July 1997.⁹⁵ Later, the Knesset passed a law

⁹¹ Seale and Butler. "Asad's Regional Strategy", p.29. From 1982 to 1996, a period that included the Israeli invasion of Lebanon, not more than ten Israeli civilians in northern Israel were killed by Arab attacks. Only one Israeli civilian was seriously wounded during Operation Grapes of Wrath, while several dozen suffered minor cuts or were 'treated for shock'; Luft, G. (2000). "Israel's Security Zone in Lebanon - a tragedy?" *Middle East Quarterly* Vol.VII No.3 (September 2000), states that more than 4,000 Katyusha rockets landed in the Galilee in the years 1985-2000, but remarkably, only seven civilians were killed by this weapon.

⁹² Cobban (1999). *Israeli-Syrian Peace Talks*, p.157

⁹³ Morris. *Righteous Victims*, pp.639-40

⁹⁴ The cease-fire agreement went into effect on 26 April. It provided for a monitoring mechanism; and, at Assad's insistence, introduced France as a counterweight to Israel's special relationship with the United States. The monitoring arrangements were not concluded before the Israeli election, and were finalised by Netanyahu on 12 July during his first visit to Washington as prime minister. Rabinovich. *The Brink of Peace*, pp.233-4

⁹⁵ Ibid. Netanyahu cast a vote in favour of it despite his cabinet having decided to oppose it. Although it passed by a slender majority of 43 to 40, 'it was subsequently explained that this was the first of three readings, and the vote as such had no operative significance'. p.262

requiring a 61-member affirmative vote, and a national referendum, to approve the return of any part of the Golan Heights to Syria.⁹⁶ For Assad the signs of Israeli obstinacy were clear, and it was important that he move to protect what he believed he had already won. He asserted publicly that he had secured an Israeli commitment to the return of territory to the 4 June 1967 line, and an American endorsement of the commitment, and demanded that negotiations be resumed at the point at which they had been interrupted. Netanyahu rejected the claim and was not prepared to do other than resume negotiation without prior conditions.⁹⁷

Nevertheless, Clinton explored with Netanyahu the question of how to revive negotiations between Israel and Syria, and how to deal with Lebanon.⁹⁸ Netanyahu expressed a willingness to discuss an Israeli withdrawal from southern Lebanon with the Lebanese and Syrian authorities on the basis that 'somebody dismantle the Hezbollah military capacity'.⁹⁹ When asked whether it would be possible to reach a settlement in Lebanon without first reaching an overall settlement with Syria, Clinton responded that it would be a lot easier to do if there were also an agreement with Syria.¹⁰⁰ Netanyahu's preference for pursuing peace with Lebanon before Syria, were it achievable, might honour the spirit, but not the letter, of UN Security Council Resolution 425 of 1978 which called for Israel's *immediate* withdrawal of its forces from Lebanese territory.¹⁰¹ His proposition made no reference to the Golan; and Syria was not disposed to acquiesce in negotiations over Lebanon without its own major territorial claim being addressed.¹⁰² It was evident to the Administration from Netanyahu's position, and also from complications between Israelis and

⁹⁶ Migdalovitz. *The Middle East Peace Talks*, p.10. The law was adopted on 26 January 1999. Sixty-one members would be a simple majority if all 120 members of the Knesset were present and voting.

⁹⁷ Seale and Butler. "Asad's Regional Strategy", p.37. Netanyahu advanced a concept of 'sub-arrangements' aimed at gradual normalisation of relations with Syria without any Israeli withdrawal from the Golan. One such 'sub-arrangement' postulated was that Syria dismantle the Hezbollah operation in south Lebanon and the Palestinian organisations operating out of Damascus in return for Israeli influence in removing Syria from America's terrorism list!

⁹⁸ Clinton, W.J. (1997). The President's News Conference with Prime Minister Binyamin Netanyahu of Israel, 13 February 1997. *Public Papers – President Clinton, 1997*, p.152

⁹⁹ Ibid. p.154

¹⁰⁰ Ibid. pp.154-5

¹⁰¹ UN Security Council Resolution 425, adopted on 19 March 1978. Operative para. 2: 'Calls upon Israel immediately to cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all Lebanese territory'.

¹⁰² Seale and Butler. "Asad's Regional Strategy", p.39

Palestinians, that conditions for movement toward a peace agreement with Syria were not propitious. Rather than risk an unwinding of the informal understandings tentatively reached between the Israelis and Syrians, the Administration decided to wait it out.

If, as Assad claimed with some justification, his fundamental objective of securing 'full withdrawal' had been attained,¹⁰³ why was American engagement in the negotiation unable to produce a settlement prior to Netanyahu's premiership? Christopher believed that despite the advances made, notably at Wye, there was no real possibility of concluding an agreement during Peres's brief tenure. Rabinovich on the Israeli side, and Assad's biographer, Patrick Seale, agreed. It would be difficult to convince Israeli public opinion of the advantages of peace with Syria, particularly in the context of Palestinian terrorism. The timing was tight, whether the Israeli election was to be held in May or October 1996; and the United States saw the need to keep the negotiation from becoming entangled in the politics of an Israeli election campaign. For Clinton, the substance of the negotiation with Syria was less of a consideration as he campaigned for re-election in November. Although a comprehensive Middle East peace settlement still proved elusive, he could point to Israel's agreements with the Palestinians and with Jordan, and to the Middle East and North Africa Economic Conferences, as achievements of his first term. Not only was the timing tight, there were still important differences to be overcome. Syria's concept of 'total peace for total withdrawal' was still susceptible of varying interpretations, despite the Administration's probing. The Israelis found the imprecision disturbing. For their part, the Syrians saw in Peres's vision of economic integration flowing from a peace, a threat to Syria's and the Arab world's socio-economic fabric.¹⁰⁴ There was a fundamental dissonance between Assad's inclination 'to

¹⁰³ Butler, L. (1997). "Fresh Light on the Syrian-Israeli Peace Negotiations."; Cobban, (1999). *Israeli-Syrian Peace Talks*, p.73; Sontag, D. (2000). "Rabin vowed to pull back from Golan, Barak says." *The New York Times on the Web*, 28 February 2000.

¹⁰⁴ Hinnebusch. "Does Syria Want Peace?", p.51. Syria's Vice-President Khaddam declared that the idea of a Middle East market aimed to give Israel control of Arab resources and 'finish the Arabs off as a force'. For him, the Arab world was a distinct nation, homogeneous in culture, values, and interests. Israel could no more be assimilated into it than Morocco or Turkey into the European Union.; Israel's gross national product is larger than that of all of its immediate neighbours combined. Alpher, J. (1995). "Israel: the challenges of peace." *Foreign Policy* Iss.101 Winter 1995-1996.

shrink [Israel's] influence to more modest and less aggressive proportions, which the Arab players in the Middle East could accept and live with' and Israel's ambition for 'peace as a means to extend its influence to every corner of the Arab world'.¹⁰⁵

This profound conceptual difference went to the nub of American objectives. Peres's view of an increasingly interconnected global economy resonated with Clinton's vision for the advancement of democracy and market economics. While an Israel-Syria settlement might contribute to its realisation, were American ideals including democracy, human rights and market economics ever to be incorporated into the Syrian polity, it would probably be through an extended process that would flow, at some remove, from Syria's acceptance as a cooperative member of the international community after conclusion of a settlement with Israel.¹⁰⁶ There is little doubt that the Administration saw attainment of its liberal agenda as sequential to the immediate peace objective. Syria's identification of the conceptual difference highlighted a tactical consideration. For so long as the broader strategic dimension remained in the background, the Administration need not prosecute it while the two parties addressed tactical issues related to land and security and normalisation of relations. The Syrians knew, however, that no American Administration could be enlisted to help 'shrink' the ambitions of the only country in the region that broadly shared its democratic and human rights values. In the event, they were not sufficiently disturbed by the implications of Israeli regional economic expansion to decline American overtures to negotiate further with the Israelis.

Resumption of negotiations

The Administration saw an opportunity to resume its attempt to effect a peace settlement after Netanyahu's electoral defeat by Ehud Barak in May

¹⁰⁵ Seale and Butler. "Asad's Regional Strategy", pp.36-7; Pelletreau said: 'In the past three years, Jordan has joined Egypt in signing a peace treaty with Israel, Israelis and Palestinians have signed three landmark agreements, two Arab-Israel economic summits have been held, eight Arab League members have made official visits to Israel, all but three Arab states have participated in some aspect of the peace process, and Israel has exchanged diplomatic offices with Morocco and Tunisia and commercial offices with Qatar and Oman'. Pelletreau (1996). "Statement, 12 June 1996", p.336

¹⁰⁶ Savir (1998). *The Process*, interpreted the Syrian dilemma as 'seeking aid without influence and peace without engagement'. p.271

1999. In June, Barak and Assad exchanged compliments through a British writer, Patrick Seale;¹⁰⁷ in July, Vice-President Khaddam told radical Palestinian groups to end their armed struggle against Israel; and Syria prevented Hezbollah from firing rockets into Israel, but not from targeting Israeli forces in the security zone.¹⁰⁸ Encouraged by this atmospheric change, the Administration once again facilitated intensive negotiation between the two parties,¹⁰⁹ bringing Barak and the Syrian foreign minister together in Washington in December 1999, and in Shepherdstown in January 2000. This was the first time that the two countries' senior officials had engaged directly. Clinton paid a number of visits to Shepherdstown during the negotiation and was an active participant.¹¹⁰ This seems to have engendered an expectation within both parties that the president would intervene to force concessions upon the other.¹¹¹ During the meeting the Administration presented a summary of points of accord and discord.¹¹² An Israeli newspaper, working from a leaked copy of the document, said that it revealed Israel's apparent success in delaying discussion of borders while winning concessions on security that Syria was supposedly willing to make.¹¹³ This second embarrassing leakage, and the newspaper's characterisation of the document, angered the Syrians; and the talks were postponed indefinitely.¹¹⁴

Despite this setback, the Administration remained determined to reverse the situation. Clinton announced that he would be meeting Assad on 26 March 2000 in Geneva. His announcement was made in the context of Barak's having endorsed Rabin's 'commitment' of July 1994 provided Israel's

¹⁰⁷ Delaney, B. (1999). "Syrian expert: Assad ready to offer Israel peace for land." *CNN.com*, 16 June 1999. <http://www.cnn.com/WORLD/meast/9906/16/syria.israel/> - accessed 24 December 2003

¹⁰⁸ Migdalovitz. *The Middle East Peace Process*, p.10

¹⁰⁹ Clinton, W.J. (1997). The President's News Conference, 8 December 1999. *Public Papers – President Clinton, 1999*, p.2538

¹¹⁰ Arabic News (2000). "Clinton intervenes for the third time in fourth day of Syrian-Israeli negotiations." *Arabic News*, 7 January 2000
<http://www.arabicnews.com/ansub/Daily/Day/000107/2000010719.html>. - accessed 11 February 2003

¹¹¹ Albright (2003). *Madam Secretary*, p.479

¹¹² Migdalovitz. *The Middle East Peace Process*, p.10; Sanger, D.E. (2000). "Clinton Offers Israel and Syria 'Working Paper' to Study Golan Heights control." *The New York Times on the Web*, 8 January 2000

¹¹³ Perlez, J. (2000). "U.S. Draft of Israel-Syria Treaty Reported in Israeli Newspaper." *The New York Times on the Web*, 13 January 2000; Sontag (2000). "Rabin vowed to pull back."

¹¹⁴ Migdalovitz. *The Middle East Peace Process*, p.10

security needs were met.¹¹⁵ Barak told his cabinet that Rabin had given guarantees that Israel would fully withdraw from the Golan Heights in exchange for a security commitment by Syria; and that he would not 'erase the past'. Barak had come to the conclusion that demilitarisation of the Golan Heights would offer sufficient security to Israel. In that context, it made little difference to him whether Syrian sovereignty extended to the Sea of Galilee or to a few metres to its east.¹¹⁶

The border was not solely a question of security, however. Access to water was also a factor. Some fifty years earlier the Syrian government had offered on two separate occasions to make peace with Israel on the basis that Israel agree to half of the Sea of Galilee being ceded to Syria in exchange for peace.¹¹⁷ This was declined because the Sea provides about 40 per cent of Israel's water supply. Syria was prepared to agree not to draw drinking water from the Sea in exchange for Barak's acceptance of the 4 June line,¹¹⁸ while the United States undertook to explore the possibility of Syria's water supply being met from Turkey.¹¹⁹ Syria's commitment would seem to be credible, given its responsible behaviour in relation to the Sea during the 19 years that it had enjoyed access to the waterfront. Also, Syria would be well aware of its vulnerability to Israel if it were ever to renege on such an undertaking. Population pressure, drought and poor water management had turned the Galilee/Jordan basin into a rapidly wasting asset, and the future needs of the riparian peoples might more effectively be met by building desalination plants, a thought that the United States was prepared to entertain.¹²⁰

¹¹⁵ Sontag (2000). "Rabin vowed to pull back." It was the first time that an Israeli prime minister had ever admitted that Israel had agreed, conditionally, to complete withdrawal. Barak's briefing of his cabinet was widely reported in the Israeli press.

¹¹⁶ Slater (2002). "Lost Opportunities." Israeli General Staff officers were willing to assent to an Israeli withdrawal from the shoreline of the Sea of Galilee. Moreover, there was an expectation among the Israeli negotiators that an agreement was possible within a very short space of time. pp.97-100

¹¹⁷ Ma'oz, M. (2003). *Policy Brief: Israel and Syria – from water to peace*. Washington DC, The Middle East Institute. Assurance of water supply was one of the factors in the 1967 war. Israel responded with force to Syrian water diversions, and with diversions of its own from the Jordan River into the Negev.

¹¹⁸ Slater (2002). "Lost Opportunities", p.96

¹¹⁹ Savir (1998). *The Process*, p.279

¹²⁰ Slater (2002). "Lost Opportunities", p.103; Clinton pledged to work with Israel 'to promote the development of new and additional sources of water, including desalinisation'. Clinton, W.J. (1999). Joint Statement by President Clinton and Prime Minister Ehud Barak, 19 July 1999. *Public Papers – President Clinton, 1999*, p.1414; The United States and Oman committed \$3 million each to establish a water research centre in Oman. The project was a

Security and water are emotional public issues and Barak was facing continuing domestic resistance to withdrawal from the 'Golan lobby' while simultaneously addressing the question of a more extensive withdrawal from the West Bank and Gaza. Three of the six parties in Barak's coalition government joined forces with the opposition to approve a preliminary bill that would make a future referendum on peace with Syria extremely difficult to pass.¹²¹ Barak was unwilling to risk putting more or less concurrent withdrawals on both fronts to the test of Israeli public opinion.¹²² He briefed Clinton to tell Assad that he wished to retain the Sea's entire waterfront in Israeli hands,¹²³ but in compensation for the strip along the waterfront Israel would exchange a parcel of inland territory that had not previously been in Syrian hands.¹²⁴

By the time of Clinton's meeting with the Syrian president, Assad was clearly terminally ill.¹²⁵ His preparedness to meet with Clinton may be read as indicative of an interest in concluding an agreement. It would be Clinton's final opportunity to secure an agreement before a change of Syrian leadership. No incoming leader would inherit Assad's authority: if acquired, it would need to be earned over a period of time. Barak provided Clinton with a script for his meeting, insisting the 'the description of Israel's needs had to be recited word for word'.¹²⁶ Albright records that the president was prepared to work from Barak's script for several reasons

He had more hope than the rest of us that the initiative would succeed, and certainly Barak's offer was more forthcoming than any other the Syrians were likely to receive. The President had also promised to support those in the Middle East who were willing to run risks for peace; astute diplomatic strategist or not, Barak led the region in this

product of the multilateral working group on water. US Department of State (1995). "U.S.-Oman support for Middle East Desalination Research Center." *US Department of State Dispatch* Vol.6 No.24. p.502

¹²¹ The bill would have required that a referendum pass by a simple majority of the electorate, not a simple majority of those present and voting. As voter turnout is about 80 per cent, the government would have to win about 65 per cent of the votes cast in order to satisfy the requirement. Sontag (2000). "Israeli Bill May Hobble Barak Efforts with Syria." *The New York Times on the Web*, 2 March 2000

¹²² Slater (2002). "Lost Opportunities", p.99

¹²³ Hof, F.C. (2001). "A Practical Line: the line of withdrawal from Lebanon and its potential application to the Golan Heights." *The Middle East Journal* Vol.55 No.1 (Winter 2001) p.39

¹²⁴ Albright (2003). *Madam Secretary*, p.480

¹²⁵ He died less than three months later, on 10 June.

¹²⁶ Albright (2003). *Madam Secretary*, p.480; Clinton rang Barak on 26 March, prior to and following his meeting with Assad. Clinton, W.J. (2000). Appendix A. *Public Papers – President Clinton, 2000*.

category. Finally, the President's inherent optimism encouraged him to believe that a concentrated push couldn't help but produce movement.¹²⁷

The reservations held by the president's advisers may have been due to their knowledge that he had sent a message to Assad in June 1995 assuring him that 'he had in his pocket a commitment from Rabin that Israel was ready to withdraw to the 4 June 1967 borders'¹²⁸ on which he would now have to reside.

Assad would not admit to Israeli sovereignty over what he considered to be Syrian territory.¹²⁹ Clinton's public comments make it clear that he chose to put the onus on Assad to respond to Barak's position.¹³⁰ In doing so he seems to have hoped to deflect criticism of Barak for any breakdown in the negotiation. Clinton's failure even to keep the door ajar sealed its fate. Barak has been blamed for having failed to seize the moment,¹³¹ but Clinton was complicit.

Hafez Al-Assad was succeeded by his son, Bashar, who announced that he would continue his father's policy of seeking reclamation of all of the Golan territory from Israel in return for peace.¹³² But Bashar's first priority was to consolidate his rule. This, and the failure of the summit in Geneva to produce a breakthrough, meant that in effect the US-mediated negotiation between Israel and Syria was ended.¹³³ The *al-Aqsa intifada* broke out in September 2000, further discouraging Israelis from possible accommodation with their Arab neighbours. Then Ariel Sharon was elected prime minister of Israel in February 2001 and vowed to retain the Golan Heights.

¹²⁷ Ibid. p.480

¹²⁸ Sid-Ahmed, M. (1999). "2000: the year of a settlement." Letter from Cairo No.359. *Al Ahram Weekly*, 19-22 December 1999. <http://www.sis.gov.eg/public/letter/html/text359.htm> - accessed 24 December 2003

¹²⁹ Albright (2003). *Madam Secretary*, p.481

¹³⁰ Clinton said that if Assad disagreed with Israel's 'territorial proposal, which is quite significant, then there should be some other proposal...coming from the Syrians about how their concerns could be handled'. Clinton, W.J. (2000). The President's News Conference, 29 March 2000. *Public Papers – President Clinton, 2000*, p.648

¹³¹ Slater (2002). "Lost Opportunities", pp.99-100; Interview with Ambassador Dennis B. Ross in Washington DC on 20 April 2001.

¹³² Morris. *Righteous Victims*, p.658

¹³³ Malley, R. (2001). "The Logic of Historic Reconciliation will Prevail." *Middle East Insight* Vol.XVI No.5. http://www.mideastinsight.org/11_01/malley3.html - accessed 13 February 2003

Lebanon

The United States had, on several occasions, to broker cease-fire agreements between Israel and Lebanon. Lebanese territory provided a base for the launching of Arab attacks against Israel. Because of this, sites in Lebanon became targets for the IDF. Israel seized control of southern Lebanon for the first time in 1978. Israel invaded Lebanon in 1982, and decided to create a security zone in Lebanese territory immediately to the north of the common border in 1985.¹³⁴ Complementary to the cease-fire arrangements, the UN Security Council repeatedly called for Israel's withdrawal from all Lebanese territory. Islamist extremists were never much of a factor in Lebanon before 1982, but the more moderate Islamist groups were destroyed during Israel's invasion, creating a vacuum that came to be filled by Hezbollah. Hezbollah did not exist when Israel began the occupation and bombardment of southern Lebanon,¹³⁵ but it grew to become a major irritant to Israel's security. Conflict made Lebanon an important element in the Arab-Israel dispute, and America's search for a comprehensive settlement of the dispute had to include a settlement between Israel and Lebanon.

Syria exercises considerable influence over Lebanon. It maintains a large military presence in the country. No settlement between Israel and Lebanon can be effected without Syrian concurrence. Israel and Lebanon had agreed to a peace settlement in May 1983, but Lebanon later abrogated it under Syrian pressure.¹³⁶ The Clinton Administration's expressed commitment to Lebanon's unity, sovereignty, independence, territorial integrity, and continued adherence to democratic principles¹³⁷ reflected its desire to diminish Syrian hegemony over Lebanon. It sought an end to the targeting of Israel by Islamist militias and the support extended to them by, or

¹³⁴ Luft (2000). "Israel's Security Zone." Although Israel invaded Lebanon in 1982, the decision to create a security zone was not taken until 1985. The zone was patrolled by the Israeli Defence Force and the South Lebanese Army, a militia controlled, trained and paid by Israel.

¹³⁵ Zunes, S. (2000). *Israeli Occupation of Lebanon and the Formation of Hezbollah*. *Information Brief* No.46 (1 September 2000). Washington DC, Center for Policy Analysis on Palestine p.1

http://www.geocities.com/CapitolHill/Senate/789/zunes_hezbollah_0900.html - accessed 14 March 2003

¹³⁶ Mark, C.R. (2002). *Lebanon*. Washington DC, Congressional Research Service, The Library of Congress. p.1

¹³⁷ Ibid. Citing State Department testimony to the Senate Foreign Relations Committee, 25 September 1996, p.3

through, Syria. The United States has generally seen Syria as controlling and supporting Hezbollah, with assistance from Iran, but Stephen Zunes claims that American officials have greatly exaggerated Syria's role: 'Syria has historically backed the rival Amal militia'.¹³⁸ While the extent of militias' dependence on Syria may be disputed, there is no doubting that they have received support from their eastern neighbour. If a comprehensive peace were to be concluded, the Administration would have to persuade Israel to withdraw from southern Lebanon, and Syria to exercise such influence as it could over Hezbollah, in particular, to stop it from cross-border attacks on Israel.

While engaged in the task of bringing Middle Eastern states to the conference table at Madrid, Baker addressed the question of getting both Israeli and Syrian forces out of Lebanon. His letter of assurances to Lebanon on the eve of the Madrid conference recognised that although the withdrawal of Israeli troops and the withdrawal of Syrian troops from Lebanon were separate issues, both were covered by legal instruments. UN Security Council Resolution 425 applied to Israeli forces only, but the Taif agreement of October 1989 calls for the withdrawal of *all* non-Lebanese forces from Lebanon.¹³⁹ Baker also drew an explicit distinction between Resolution 425, which calls for Israel's withdrawal from 'all Lebanese territory', and the less-precise terminology of Resolution 242 on withdrawal from 'territory'.

Although Lebanon participated in the Madrid conference, Washington 'understood that Lebanon and Israel would not sign a peace agreement unless and until Syria and Israel had resolved their differences'.¹⁴⁰ Despite this perception, American Administrations were careful not to ignore Lebanon as the peace process proceeded. Baker visited Lebanon in July 1992 and discussed a resumption of Lebanon's peace negotiations with Israel. Christopher visited the country on his initial tour of the Middle East in February 1993, and again in April 1996 to negotiate the 'Grapes of Wrath' cease-fire agreement. These contacts by Clinton's secretary of state were followed by meetings in the United States between the president and Prime

¹³⁸ Zunes (2000). *Israeli Occupation*, p.1. Amal is a Lebanese resistance movement. Like Hezbollah, its membership is Shi'i. It has close ties with Iran, as does Hezbollah. Amal favours a close relationship between Lebanon and Syria, whereas Hezbollah claims a more independent position.

¹³⁹ Baker (1992). "U.S. letter of assurances to Lebanon", p.120

¹⁴⁰ Mark (2002). *Lebanon*, p.1

Minister Hariri in September 1993 and October 1996. Madeleine Albright also visited Lebanon twice, in September 1997 and September 1999, in connection with the peace process. Politesse notwithstanding, the United States could achieve little of substance while Syria exercised influence in Lebanon and its troops continued to occupy parts of that country. As part of the Taif agreement, Syria was committed to begin discussion on possible troop withdrawals from Beirut to the al-Biqā' Valley within two years of its signature. This did not happen and the US Senate passed a motion in July 1993 declaring that Syria had violated the agreement.¹⁴¹ Some forces were withdrawn from Beirut in June 2001, but about 20,000 Syrian troops remained in northern and eastern Lebanon in mid-2002.¹⁴²

In negotiating the cease-fire arrangements that brought Operation Grapes of Wrath to an end, Christopher was able to secure the United States a place in the monitoring group to observe the cease-fire, thus ensuring a continuing presence in relation to Lebanon. The US aid programme also provided access to the Lebanese government. Christopher pledged that the United States would increase assistance to Lebanon, expand the flow of goods and services to that country and bolster its training of Lebanese military officers and law enforcement officers.¹⁴³ The Administration would have expected that, at an appropriate time, these contributions might dispose a Lebanese government to look favourably upon any American effort to broker a peace settlement between Lebanon and Israel.

Barak's election to government in 1999 introduced a significant change of circumstance. A survey had shown that the majority of Israelis believed that Israel should pull out of Lebanon unconditionally.¹⁴⁴ The expected gain would be an indirect one: by withdrawing from southern Lebanon, the cause of Hezbollah resistance would be removed and so would Syria's need to assist that group. In office, Barak repeated a campaign pledge that within a year Israeli troops would be out of the south Lebanon security

¹⁴¹ Ibid. p.4

¹⁴² Ibid. pp.9-10

¹⁴³ Christopher, W. (1996). "International community commits to Lebanese reconstruction, 16 December 1996." *US Department of State Dispatch* Vol.7 No.52. p.622

¹⁴⁴ Zunes (2000). "Israeli Occupation of Lebanon", p.2

zone.¹⁴⁵ Albright believed that he wanted to have an agreement with Syria in place to ensure an orderly withdrawal and secure aftermath,¹⁴⁶ and the Americans clearly hoped that Israel's intention to withdraw could be traded for some significant gain in relation to Syria.¹⁴⁷

The withdrawal was completed in May 2000 from all save a small area known as the Shaba farms.¹⁴⁸ Israel's decision to withdraw was known to both Assad and Clinton, but Barak's brief for their meeting in March did not offer Clinton scope to use Israel's proposed withdrawal as a bargaining chip with Syria.¹⁴⁹ The expectation of a cessation of hostilities along the northern border was not to be realised. Significant though the withdrawal was, it was not sufficient to sever the organic link that Syria had forged with Lebanon.

Conclusion

Clinton viewed a peace agreement between Israel and Syria as the key to a comprehensive settlement of the Arab-Israel dispute and to a new geopolitical order in the Middle East. He engaged personally in the search for a peaceful settlement between Israel and Syria. In addition to the ready access enjoyed by American presidents and Israeli prime ministers to each other, Clinton established personal contact with his Syrian counterpart and his senior officials shuttled between Washington, Damascus and Jerusalem. Notwithstanding these communication channels, the Administration

¹⁴⁵ Luft (2000). "Israel's Security Zone."

¹⁴⁶ Albright (2003). *Madam Secretary*, p.480

¹⁴⁷ Zunes (2000). "Israeli Occupation of Lebanon." The US ambassador to Israel, Martin Indyk, had publicly encouraged Israel to remain in Lebanon, in contradiction to UN Security Council Resolution 425. p.1

¹⁴⁸ Eldar, A. (2002). "During the French Mandate, Shaba was Lebanese." *Ha'aretz*, 27 June 2002. The Lebanese claim that the area belongs to Lebanon, while Israel contends that it is Syrian territory and subject to whatever agreement may be reached between Israel and Syria. An official of the French mandatory noted in 1920 that the demarcated border between Lebanon and Syria on an Ottoman map did not correspond to customary usage. While the Shaba farms were shown as Syrian territory, persons living in the area were under Lebanese regulation and paid Lebanese taxes. He characterised the situation as a Lebanese enclave within Syrian territory. Syria took over the area in 1950 and its population was counted in the Syrian census of 1960. The United Nations, through its Secretary General, supports the Lebanese claim to the territory, a strip of 14 kms long and 2 kms wide, on the basis of modern maps.

¹⁴⁹ To the contrary, Clinton welcomed the withdrawal as creating 'new challenges and new opportunities'. Clinton, W.J. (2000). The President's News Conference with European Union leaders in Lisbon, 31 May 2000. *Public Papers – President Clinton, 2000*, p.1255

underestimated Assad's suspicion of the America-Israel alliance and was slow to offer reassurance when it would have been appropriate to do so.¹⁵⁰

The Congress was not only sceptical about Syrian intentions, but concerned to restrain the Administration's links with that country. Neither the Administration nor the Congress would entertain the provision of US aid to Syria during the 1990s, although Syria seems to have harboured an expectation that it might become eligible for American aid if a settlement with Israel could be concluded. The only incentive that the Clinton Administration dangled before both the Israelis and Syrians, as did the Bush Administration before it, was the possibility of an international force being stationed on the Golan Heights in the event of an Israeli withdrawal from the area. This option, however, provoked a spirited campaign within the United States against American participation in any such peace-keeping force and the Administration dropped it.

How effectively did the Administration employ the instruments available to it in order to achieve an Israel-Syria settlement? Clinton's philosophic approach toward all parties in prosecuting a comprehensive settlement of the Arab-Israel dispute was to persuade through argument and the offer of incentives, not to coerce or punish. Positive sanctions having been proscribed, the Administration's ability to effect a desired result was therefore severely circumscribed. Perforce, the Administration drew heavily upon its ability to persuade the Syrians that some accommodation of the Israeli position was in their national interest. Assad's refusal to enter into direct negotiation with Israel prior to December 1999 enabled the Americans to become the intermediary and, in time, a full participant in the negotiation. Circumstances placed the Administration in an exceptional position from which to exercise its influence. Why, then, was it unable to effect a settlement?

There were a number of reasons for this. First, America's lack of leverage over Syria and Assad's obduracy complicated the Administration's task. Assad's inflexibility on the question of direct negotiation, his ineptitude in public diplomacy, and the lack of trust between Israel and Syria on territorial questions, inevitably made it very difficult for the Americans to

¹⁵⁰ Cobban (1999). *Israeli-Syrian Peace Talks*, p.150

persuade him to present his commitment to peace and terms for a settlement in ways that might generate some understanding within an Israeli or American audience.¹⁵¹

Second, and also from an Arab perspective, the efforts of Palestinian insurgents, and of Hezbollah in the southern Lebanon security zone, to set back the peace process presented difficulties for the Americans. The Administration responded to the terrorists' challenge by mobilising international pressure through the Sharm el-Sheikh summit in March 1996. Clinton secured condemnation of terrorism, and was able to proclaim to terrorist groups that they were acting contrary to regional opinion that supported the peace process. The positive aspects of the summit must be qualified: regional condemnation of terrorism was obtained in the absence of Iran and Syria, the two states that abetted terrorist groups, and Lebanon from which some terrorist activity was mounted; and the summit's conclusions lacked material substance. International condemnation did nothing to influence terrorist groups or their state supporters to halt terrorist activity in the region.

Third, and from an Israeli perspective, although Clinton urged Rabin to start preparing Israelis for the need to make concessions in order to achieve peace, he stopped short of encouraging the Israelis to determine an order of priority. The consequence of not prioritising the process was that Rabin appeared undecided in August 1993 whether to back the American preference for the Syrian track, or the Palestinian one. His eventual opting for 'Oslo' was taken not on an analysis of which track would make the more important contribution to a comprehensive settlement, but on the basis that one offered a more immediate prospect than the other. Such a decision need not, in itself, prevent the achievement of a comprehensive settlement, but it threw up the conundrum of how to handle a demand for concurrent withdrawals from the Golan Heights, the West Bank and the Gaza Strip. Another opportunity to address prioritisation arose in 1999 when Barak announced an intention to

¹⁵¹ Muslih (1994). "Dateline Damascus", records Syrian officials as having indicated Assad's preparedness to engage in public diplomacy and to prepare his people for peaceful relations with Israel once Rabin committed himself to a return to the 4 June 1967 line.

move forward 'simultaneously on all tracks',¹⁵² but Clinton seems again not to have taken it up.

Finally, neither Peres nor Barak felt sufficiently secure politically to make the necessary accommodations to bring about a settlement with Syria, and Clinton declined to pressure them into doing so. He would generally defer to the judgement of Israeli premiers, especially after Rabin's assassination, which had affected him greatly.¹⁵³ Despite having encouraged Assad to believe that Israel would be prepared to withdraw to the 4 June 1967 line, and Barak having briefed his cabinet in those terms, Clinton carried a brief to his meeting with Assad in March 2000 that contained important Israeli qualifications. Barak had decided that it would be too difficult to get the necessary legislative and public approvals for a return of Syrian territory. The offer that Clinton was authorised to convey was designed to ensure Israel's continued sovereignty over the waters of the Sea of Galilee and the Jordan River, and accordingly the border line should not touch either. The frail President of Syria was either unable to summon the energy to contest the Israeli position or unwilling to do so. He rejected it flatly.¹⁵⁴ After his meeting with Assad, Clinton chose tactically to put the onus on Syria to move on the border issue in an attempt to protect Barak from charges of having aborted the negotiation.

What is less clear is why Clinton should have agreed to carry Barak's brief without requiring that some concession be extracted from Syria in return for Israel's preparedness to withdraw from southern Lebanon. Neither Clinton nor Barak seems to have been concerned to maximise the leverage inherent in the IDF's withdrawal.¹⁵⁵ From an American perspective, the explanation

¹⁵² The Prime Minister said: 'It is our intention to move the process forward simultaneously on all tracks – bilateral, the Palestinians, the Syrians, and the Lebanese, as well as the multilateral'. Clinton, W.J. (1999). The President's News Conference with Prime Minister Ehud Barak of Israel, 19 July 1999. *Public Papers – President Clinton, 1999*, p.1407

¹⁵³ Cobban (1999). *Israeli-Syrian Peace Talks*. Drawing on her interviews with Dennis B. Ross, Cobban states that the 'tendency to defer to the Israeli leaders' views on questions of strategy and timing became...reinforced after the...Oslo Accords, and then even more so after Rabin's assassination'. pp.193-4

¹⁵⁴ Ross, D.B. (2004). *The Missing Peace*, pp.583-7

¹⁵⁵ Muslih (1994). "Dateline Damascus." As early as 1994, Muslih postulated that: 'The fate of Lebanon will be largely shaped by Israeli-Syrian relations...Once an Israeli-Syrian agreement is reached, a tradeoff regarding Lebanon will be possible'. He records having been told by Syrian officials 'that their government will not hesitate to restrain, even disarm, Hezbollah

seems to lie in Clinton's attraction to Israel,¹⁵⁶ his tendency to defer to the Israeli leadership, and his expectations of Barak¹⁵⁷ in relation to the Palestinians. Perhaps, by then, he had also come to share Uri Savir's impression that both sides 'could go on living without peace',¹⁵⁸ given that they had existed in a state of dormant hostility since 1974.

Constrained in the use of positive sanctions, and unwilling to employ negative ones, the Administration's ability to effect its desired outcome in the negotiation between Israel and Syria depended upon its persuasive skills. These were insufficient to overcome the entrenched positions of the two parties.

("Party of God") in Lebanon' and that Syria would be able to manage the implications this will have for its bilateral relationship with Iran. pp.145-163

¹⁵⁶ Clinton W.J. (1998). Remarks at a Dinner Hosted by Prime Minister Binyamin Netanyahu of Israel in Jerusalem, 13 December 1998. *Public Papers – President Clinton, 1998*. Clinton recounted a story in which his pastor had said to him in the 1980s: 'You might be President one day. You will make mistakes, and God will forgive you. But God will never forgive you if you forget the State of Israel'. p.2172; Clinton, W.J. (1999). The President's News Conference with President Hosni Mubarak of Egypt, 1 July 1999. *Public Papers – President Clinton, 1999*. Clinton was reminded by a reporter that when running for the presidency he made a pledge never to criticise Israel publicly. p.1238

¹⁵⁷ Clinton, W.J. (1999). Remarks at a Democratic National Committee Dinner in Coral Gables, Florida, 13 July 1999. *Public Papers – President Clinton, 1999*. Clinton said: 'I'm eager as a kid with a new toy for the meeting I'm going to have with the new Israeli Prime Minister this weekend, in the hope that we can begin to energize the peace process in the Middle East on terms that are just and fair and will guarantee genuine security for Israel and a way of living for the Palestinians that will bring reconciliation, and a resolution of all these issues with Syria so that there can be peace in the Middle East'. p.1203

<http://www.gpoaccess.gov/pubpapers/search.html> - accessed 6 May 2003

¹⁵⁸ Savir (1998). *The Process*, p.271

Chapter 7

Frustration and failure: the United States, Israel and the Palestinians, 1996-2001

During the second phase of negotiation between Israelis and Palestinians, from 1996 until the expiration of Clinton's presidency in 2001, the Clinton Administration made serious endeavours to secure a resolution of the parties' differences, but was unable to effect a peace settlement.

1996 was a significant year for the Administration. It had to adjust to the transformation of the PLO into the Palestinian Authority in January 1996 and the defeat of Peres by Netanyahu in May; and Clinton had to secure his own re-election in November. His second-term agenda accorded primacy to a need 'to build the first undivided democratic Europe in history',¹ reflecting American concern to create a new European architecture following the Cold War. On his agenda, the search for peace in the Middle East occupied second place, followed by the need to meet the threat of terrorism. A resolution of the Arab-Israel dispute was thus juxtaposed with the factor most likely to frustrate its attainment. When asked whether he was willing to encourage Israel to take more tangible steps towards the peace process, Clinton referred to his hope to influence 'the outcome of events'.² The Administration intervened more actively in the prosecution of a settlement during this period than was the case before 1996, with the president advancing his own proposals in his final weeks in office.

The Likud approach

Clinton received Netanyahu on his first visit to Washington as prime minister in July 1996. Netanyahu's disenchantment with the peace process was public knowledge. The Likud Party platform for the election offered little encouragement to Palestinians and others who sought an accommodation

¹ Clinton, W.J. (1996). The President's News Conference, 8 November 1996. *Public Papers - President Clinton, 1996*, p.2104

² Clinton, W.J. (1996). The President's News Conference with President Hosni Mubarak of Egypt, 30 July 1996. *Public Papers - President Clinton, 1996*. Clinton said that 'it's very important that we do the best we can to exercise influence, that is, to affect the outcome of events', cautioning that 'sometimes what may seem most satisfying in a public statement is not what is most likely to affect the outcome of events'. p.1229

between Israelis and Palestinians. The party's assertion of the right of the Jewish people to the Land of Israel as 'an eternal right, not subject to dispute'³ was reinforced by a declaration that Israel's permanent eastern border lay along the Jordan River. The establishment of an independent Palestinian state was explicitly opposed; and institutions of the Palestinian Authority in Jerusalem such as Orient House, an important symbol of the Palestinian presence in the city, were to be closed because it was claimed that they undermined the status of Jerusalem as the united and undivided capital of the State of Israel. Settlement activity would be strengthened; and 'Jewish settlement, security areas, water resources, state land and road intersections in Judea, Samaria and the Gaza Strip shall remain under full Israeli control'.⁴ The Palestinians would be enabled 'to manage their lives freely, within the framework of self-government...[but]...foreign affairs and defence...[would] ...remain the responsibility of the State of Israel'.⁵ The possibility of some form of partnership between Palestinian self-government areas and Jordan was not ruled out,⁶ although its form was not specified.

Clinton found some encouragement in Netanyahu's statement that he would work closely with the Palestinian Authority on full implementation by both parties of the Declaration of Principles and the Interim Agreement, and on easing economic conditions on the Palestinians.⁷ Netanyahu believed that the United States, Russia and the European Union should play only a limited role in the negotiations between the Arabs and Israel: only the parties that bore the consequences had the right to decide.⁸ Clinton could draw limited satisfaction from hearing him say: 'We inherited two agreements, Oslo I and Oslo II, not to our liking...But I inherited them as prime minister. And governments keep agreements'.⁹ In Netanyahu's view the obligation was on the Palestinian Authority to fulfil its commitments first, which would then put the Authority in

³ Jewish Virtual Library (1996). *1996 Likud Party Platform*, Chapter 1, Preamble. Chevy Chase MD, Jewish Virtual Library.

<http://www.us-israel.org/jsource/Politics/likud.html> - accessed 29 December 2003

⁴ Ibid. Chapter 1, para 5.

⁵ Ibid. Chapter 1, para 3.

⁶ Ibid. Chapter 1, para 8.

⁷ Clinton, W.J. (1996). The President's News Conference with Prime Minister Binyamin Netanyahu of Israel, 9 July 1996. *Public Papers - President Clinton, 1996*, p.1089

⁸ Shlaim (2000). *The Iron Wall*, p.572

⁹ Clinton, W.J. (1996). The President's News Conference with Prime Minister Binyamin Netanyahu of Israel, 9 July 1996. *Public Papers - President Clinton, 1996*, p.1093

a 'moral position to ask us to fulfil the remaining of our obligations'.¹⁰ He instanced two matters that he had promised during the election campaign to prosecute if elected and that he looked to the Palestinian Authority to undertake. These were that the Palestinian Authority desist from maintaining an official presence, including that of security personnel, in Jerusalem; and that Hamas and Islamic Jihad be disarmed. He acknowledged that the Palestinian Authority had shown a capacity to curb terrorist activity during the Israeli election campaign, and encouraged the Authority to continue doing so.¹¹

Violence erupted in September 1996, provoked by Israel's desire to renegotiate the terms of redeployment from Hebron, Israel's easing of restrictions on settlement building in the West Bank, and its plans to open a tunnel in Jerusalem that bordered the Dome of the Rock.¹² Clinton responded, inviting Netanyahu and Arafat to attend a meeting in Washington with King Hussein and himself. Egypt's President Mubarak was also invited, but was unable to attend. By its nature a two-day meeting might not resolve contentious issues between the Israelis and Palestinians. Its objective was to clarify points of difference and to lower the temperature between the two parties. This limited objective was consistent with what Clinton described as America's 'pivotal role in bringing Arabs and Israelis together to work out their differences in peace'.¹³ He secured an important commitment from Arafat and Netanyahu 'not to renegotiate agreements by which both sides are bound, but instead to talk about the...steps necessary to implement those agreements'.¹⁴ Implementation of the Hebron agreement, deferred by Peres and Arafat until after the Israeli election, would be top priority, backed by recognition of the need to improve cooperation between the two sides' security forces.¹⁵ Negotiation on these matters would resume in Israel in October, with Ross as a participant.¹⁶ On 14 January 1997 the president announced that

¹⁰ Ibid. p.1093

¹¹ Ibid. p.1094

¹² Aburish. *Arafat*, p.299

¹³ Clinton, W.J. (1996). Remarks Announcing the White House Middle East Summit and an Exchange with Reporters, 29 September 1996. *Public Papers - President Clinton, 1996*, p.1726

¹⁴ Clinton, W.J. (1996). The President's News Conference with Middle Eastern Leaders, 2 October 1996. *Public Papers - President Clinton, 1996*, p.1739

¹⁵ Ibid. p.1738

¹⁶ Ibid. p.1738

agreement had been reached on the Hebron redeployment and a roadmap for further redeployment by Israel over the period to mid-1998, and that this brought his Washington summit to a successful conclusion.¹⁷

Clinton had co-opted the assistance of King Hussein in securing this outcome.¹⁸ The Hebron agreement was not achieved without difficulty, and Ross had been about to give up when the king intervened and persuaded Arafat and Netanyahu to accept a compromise date for the completion of a three-stage redeployment that Ross had been pushing all along.¹⁹ The original agreement with Peres had allocated the Palestinians about 88 per cent of the city.²⁰ The 'Netanyahu agreement' divided Hebron into a Palestinian zone, covering 80 per cent of the city, and an Israeli one whose 20 percent included the town's commercial centre. The Jewish settlers, who constituted only 0.3 per cent of the town's population, were favourably endowed under it.²¹ Netanyahu was also insisting on 'reciprocity' by the Palestinians as a condition for further concessions. Neither Israelis nor Palestinians were in full compliance with all of the detail of the Oslo accords, but only Israel would gain from using that term to justify any suspension of negotiations. The term was employed in Ross's Note for the Record prepared in connection with the new Hebron agreement. Christopher, who in a letter to Netanyahu²² accepted his insistence on 'reciprocity', expressed a 'belief' that Israel would proceed with the three-stage withdrawal plan, rather than an assertion of it as an Israeli commitment. He accepted that Israel would decide the extent and location of further withdrawals, which would not be subject to negotiation with the Palestinians. And he employed the language of Israeli hawks in referring to Israel's entitlement to 'secure and defensible' borders, which was a significant variation of the UN Security Council Resolution 242 formula of 'secure and

¹⁷ Clinton, W.J. (1997). Remarks on the Israeli-Palestinian Agreement on Hebron and an Exchange with Reporters, 14 January 1997. *Public Papers - President Clinton, 1997*, p.36

¹⁸ Clinton, W.J. (1997). Remarks Prior to Discussions with King Hussein I of Jordan and an Exchange with Reporters, 1 April 1997. *Public Papers - President Clinton, 1997*, p.365

¹⁹ Morris. *Righteous Victims*, p.643; Mortimer Zuckerman, publisher of *US News and World Report*, credits Ross with having negotiated the Hebron agreement. *The Arab-Israeli Peace Process: reassessing the fundamentals*. Soref Symposium 21-22 May 1997. Washington DC, The Washington Institute for Near East Policy. p.16

²⁰ Aburish. *Arafat*, expresses the 'Peres allocation' as seven-eighths of the city. p.300

²¹ Shlaim (2000). *The Iron Wall*, pp.579-80

²² Christopher wrote to Arafat and Netanyahu after the conclusion of the Hebron agreement. Only the letter to Netanyahu has been made public.

recognised boundaries' on which the peace process was based.²³ The Administration achieved an agreement, but at considerable cost to the Palestinians.

The complication of Israeli settlements

Even as the Israelis and Palestinians were negotiating IDF redeployments, the Israeli government was expanding its holding in parts of the West Bank through settlement- and road-building. Clinton's initial response was to view matters in sequential terms.²⁴ He underestimated the depth of Arab resentment, despite an Arab summit having been held in Cairo in June 1996 that sent a clear message to the United States and Israel that unless Israel honoured the ground rule of land for peace on which the peace process was predicated, it would collapse.²⁵ He realised his mistake, and was more focussed on the matter by the time Arab states brought it before the United Nations in March 1997. He said then that he wished that the Israeli government had not decided to go ahead with the construction of settlements as it 'builds mistrust'.²⁶

The Clinton Administration had to decide, once again, how to handle the settlements question within the United Nations when Israel's decision to open an entrance to the Hasmonean tunnel under the western wall of the al-Aqsa Mosque in East Jerusalem, and the shooting of Palestinians demonstrating against that action, was brought before the Security Council in September 1996. For a brief period in 1993-94 the United States had been able to muster support in the United Nations for the Oslo process. It had to move into damage-control when Arab states brought the settlements question before the UN Security Council in May 1995. The Administration concluded then that the peace process should be protected from external influence and that the

²³ Quandt (2001). *Peace Process*, pp.345-7

²⁴ Clinton, W.J. (1996). The President's News Conference with European Union Leaders, 16 December 1996. *Public Papers - President Clinton, 1996*. Clinton said: 'we need to get the Hebron agreement over and behind us and go on to other issues'. p.2214

²⁵ Shlaim (2000). *The Iron Wall*, p.573

²⁶ Clinton, W.J. (1997). Remarks prior to Discussions with Chairman Yasser Arafat of the Palestinian Authority and an Exchange with Reporters, 3 March 1997. *Public Papers - President Clinton, 1997*, p.227

Council ought not to intrude into the matter,²⁷ a view that was fully shared by Israel. In the view of the Palestinian Observer at the United Nations, the opening of the tunnel in 1996 had touched off a conflagration that had been simmering for some time due to the policies of the Netanyahu government. The US Administration was able to persuade the Council not to criticise Israel by name and abstained.²⁸

The next such issue before the Security Council flowed from Israel's decision in March 1997 to build a settlement in Jebel Abu Ghneim/Har Homa. Clinton has recorded that '[e]very time Netanyahu took a step forward, as with the Hebron agreement, his governing coalition made him do something that drove a wedge between Israel and the Palestinians'.²⁹ The housing settlement would isolate Palestinian neighbourhoods in East Jerusalem from the rest of the West Bank, and was viewed by Arabs as a continuation of an Israeli policy of 'Judaisation' of Jerusalem. Other grievances subsumed in this matter included charges by the Palestinians of the withdrawal of the identity cards of Palestinian residents of East Jerusalem, and of lengthy delays to shipments of food and medical supplies at international crossing points and in the ports. Also, European companies were prevented from starting work on the construction of the Gaza seaport, to be financed mainly from French and Dutch aid. In addressing this matter, the United States was confronted by a cleavage within the Security Council between itself and the Council's other Western European members. Britain and France co-sponsored an ill-fated draft resolution with Portugal and Sweden that would have called on Israel to refrain from all actions or measures, including settlement activities, which altered the facts on the ground.³⁰ The Clinton Administration held to the position subscribed to by American Administrations ever since Reagan characterised

²⁷ Ambassador Albright said that the Declaration of Principles 'reflects the pragmatic view of the parties that there is a logical sequence for dealing with the issues which would involve covering the most sensitive ones at a later stage of the negotiations' and that 'the only path to achieve a just, lasting and comprehensive peace in the Middle East is direct talks between the parties...[P]rogress towards peace in the Middle East depends not on what the United Nations does, but on what the parties agree to'. Albright, M.K. (1997). Explanation of vote on S/1995/398. Presented at: 3538th meeting of UN Security Council, United Nations NY. p.6

²⁸ United Nations (1996). UN Security Council Resolution 1073, adopted on 28 September 1996, calls for 'the immediate cessation and reversal of all acts...which have negative implications for the Middle East peace process'.

²⁹ Clinton, W.J. (2004). *My Life*, p.752

³⁰ United Nations (1997). Document S/1997/199, 7 March 1997. The draft resolution was defeated: 14 – 1 (United States of America)

Israeli activity in the occupied territories as an obstacle to peace, and had argued strongly with Netanyahu against the project.³¹ The United States would have preferred that there be no draft resolution, and tried to have the Security Council issue a strong presidential statement instead, but failed. Nor was it able to persuade the co-sponsors to employ language that would enable an abstention. The United States vetoed it. Questioned about the veto, Clinton and President Mubarak, who was visiting Washington at the time, made clear that they had registered with the Israelis their concerns about the Har Homa project. They had been unable to persuade Netanyahu to stop it. Explaining the veto, Clinton said that peace can never be achieved through UN Security Council resolutions; that the draft contained language that the United States had vetoed in the past; and that the matter should properly be part of the final status negotiations.³²

The exercise of the United States's veto power did not end consideration of this matter within the United Nations. Frustrated by it, Arab states and other members of the Non-Aligned Movement requested a meeting of the UN General Assembly to consider the settlement question. On 13 March the General Assembly adopted a resolution that called for Israel to refrain from all actions or measures that pre-empted the final status negotiations, and to abide by its legal obligations and responsibilities under the Fourth Geneva Convention. It was opposed by the United States and Israel.³³

The Palestinians were to complain to the Secretary General that Israel had reaffirmed its decision to proceed with construction of the Har Homa project less than 24 hours after the resolution's passage. Accordingly, the Arab members of the Security Council took the matter back to the Council on 21 March. Once again, the United States vetoed a draft resolution, explaining that controversy over the project would not be resolved by interference from the Security Council or the General Assembly, and should be left to the parties concerned, which had demonstrated since the Madrid conference that they could overcome the problems and differences that separated them. Russia,

³¹ Ross, D.B. (2004). *The Missing Peace*, p.329

³² Clinton, W.J. (1997). The President's News Conference with President Hosni Mubarak of Egypt, 10 March 1997. *Public Papers - President Clinton, 1997*, pp.270-3

³³ United Nations (1997). *Yearbook of the United Nations 1997* Vol.51. United Nations NY. UNGA Resolution 51/223 was adopted by recorded vote: 130 – 2 (Israel, United States of America) – 2 (Marshall Islands, Micronesia) p.390

which voted for the draft, was unequivocal: the situation had continued to deteriorate and was becoming increasingly confrontational because of Israel's acts of provocation. The Palestinians found it difficult to accept either that the US veto had been employed to protect the peace process or that bilateral negotiations offered prospect of a solution when one of the parties was changing the demography of Jerusalem by settling some 20,000 Jews on land that the Palestinians claimed.

The Arab states were irritated by America's action and decided once again to circumvent the Security Council. They mustered a majority in support of the convening of an emergency special session of the UN General Assembly. It met in April, July and November 1997. The proponents focussed on the Israeli settlement project, which they addressed in terms of the principles of the Fourth Geneva Convention. Their intent was to apply the pressure of international opinion to the United States as much as to Israel, knowing that the United States would be unable either to persuade the General Assembly to its position or to shield Israel from the force of international criticism. Because the General Assembly lacked mandatory authority, the Administration could tolerate the international community's venting of steam. It was unlikely to have other than an atmospheric affect on the peace process.

At its April meeting the special session recommended that the High Contracting Parties to the Fourth Geneva Convention, which include Israel, 'take measures, on a national or regional level, in fulfilment of their obligations under...the Convention'.³⁴ This resolution was endorsed by an overwhelming majority, with only Israel, Micronesia and the United States voting against it. The American representative at the special session said that the United States shared the concern expressed by other representatives about Israel's decision to begin construction of the project, but then diverted to address jurisdictional matters.³⁵ The Secretary General, who had been authorised to monitor the situation, reported to the UN membership in June that Israel had imposed unacceptable restrictions on a proposed on-the-ground

³⁴ United Nations (1997). UN General Assembly Resolution ES-10/2 was adopted by recorded vote: 134 – 3 (Israel, Micronesia, United States of America) - 11

³⁵ United Nations (1997). *Yearbook, 1997*. The delegate referred to the General Assembly's 'infringing on the Security Council's authority and...[the]...dangerous precedent...[set by]...the Assembly endorsing collective action against one of its Members'. p.397

investigation into the building project by his Special Envoy; and that Israel had not accepted *de jure* applicability of the Fourth Geneva Convention to all occupied territories. This provoked a tougher resolution from the special session in July. The new resolution recommended that the High Contracting Parties 'convene a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem'.³⁶ It attracted the same three negative votes. The United States objected that a conference of the contracting parties to the Convention was not the proper forum to address the situation, and was troubled by the ostensible goal of such a conference 'to enforce the Convention'.³⁷ Russia, which had voted in favour of the April resolution, shared this concern and abstained. What enforcement agency would be used, and how would enforcement be effected?

The General Assembly's action did little to ease tension between Israelis and Palestinians.³⁸ The Administration would have read the report of the Israeli human rights organisation, B'tselem,³⁹ which recorded that between the beginning of the *intifada* on 9 December 1987 and 30 November 1997 some 1,479 Palestinians had been killed by the IDF, security forces and settlers, and 383 Israelis had been killed by Palestinians. While Israel was proceeding with settlement construction, during the decade covered by this study some 447 Palestinians' houses had been demolished and 294 sealed off as punishment for violent offences committed by a suspected or convicted family member, some 106 demolished by artillery fire, and another 1,800 demolished on the ground that they were built without a permit. Security and settlements were therefore high on Madeleine Albright's agenda when she visited Israel on 10 September 1997. She tried to persuade Netanyahu to commit to limiting settlement construction if the Palestinian Authority were

³⁶ United Nations (1997). UN General Assembly Resolution ES-10/3 was adopted by recorded vote: 131 – 3 (Israel, Micronesia, United States of America) - 14

³⁷ United Nations (1997). *Yearbook*, 1997, pp.403-4

³⁸ On 30 July Palestinians launched terrorist attacks in West Jerusalem that resulted in 13 Israeli deaths and injuries to more than 150 persons. Israel responded, imposing a land and sea blockade on Palestinian territory. Palestinians undertook a triple bombing in Jerusalem in early September.

³⁹ Kadman, N. (1998). *1987-1997: a decade of human rights violations*. Jerusalem, B'Tselem. <http://www.btselem.org> – accessed 30 March 2003

able to win its battle against Palestinian terrorist elements, suggesting 'time-out' on the building programme, but he refused to comply.⁴⁰

The Israelis went ahead with their programme, announcing on 24 September that they would put up a further 300 housing units at another site south of Bethlehem. The Administration called again for a freeze on settlement expansion in the West Bank. Netanyahu rejected it on 26 September. The Administration's efforts were backed from an unlikely source: Sheikh Ahmad Yassin, the founder of Hamas, told reporters on 7 October that Hamas would stop targeting Israeli civilians if Israel stopped killing Palestinians, confiscating land, demolishing houses and building settlements.⁴¹ Undaunted by the Administration's appeals, the Israelis presented maps to the United States on 19 November outlining Israel's security and settlement concerns in a final status agreement with the Palestinians. This was followed a few days later by a denial by the prime minister's spokesman of a report that Netanyahu had promised a freeze on settlement building to Clinton or anyone else. And on 27 November Netanyahu produced a new map of Israel which showed the Jordan Valley, the coastline of the Gaza Strip, Jerusalem (within its enlarged municipal boundaries), and a narrow 'security zone' east of the 4 June 1967 line as falling within Israeli territory.⁴²

Although the General Assembly was unaware of this detail, it remained concerned about Israel's continuing practices in the occupied territories. It requested Switzerland, depository of the Fourth Geneva Convention, to assist in convening a Conference of its High Contracting Parties.⁴³ The United States was unable to prevent the Conference from reaffirming the normative value of the Convention and declaring its applicability to occupied Palestinian territory, including East Jerusalem. In a direct reference to Israeli practices, the participating Parties recalled that no Contracting Party 'shall be allowed to absolve itself of any liability incurred by itself in respect to...wilful killing, torture, unlawful deportation, wilful depriving of the rights of fair and regular

⁴⁰ United Nations (1997). *Yearbook*, 1997, p.411

⁴¹ Ibid. p.411

⁴² Ibid. p.412

⁴³ United Nations (1997). UN General Assembly Resolution ES-10/4. was adopted by recorded vote: 139 – 3 (Israel, Micronesia, United States of America) – 13

trial, extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully and wantonly'.⁴⁴

Clinton understood that Netanyahu's settlements policy was inimical to the peace process and tried to persuade him to drop it. Albright was later to conclude that the United States should have pushed harder to halt the expansion of settlements.⁴⁵ But the Administration refrained from exercising leverage to prevent construction. None of America's principal actors – the president, secretary of state or Clinton's Middle East envoy – have given any indication of having considered the possible application of negative sanctions to reinforce their argument that settlement construction be halted. They relied on the strength of their verbal presentations. Clinton, who was not attracted to punitive or coercive measures, may have calculated that their employment would have alienated Netanyahu, whose interest in the Oslo process was tenuous. Nothing could be gained if Netanyahu broke with the process, and Clinton would not wish to provide him with an excuse to resile from his commitment to 'keep agreements'. Alternatively, some progress might be possible if channels could be kept open to him. Netanyahu was later to explain to Clinton the political imperative of his proceeding with the Har Homa project, and the president understood the prime minister's needs.⁴⁶ In one sense, Clinton was exceptionally well-placed to exert leverage had he wished to do so. He had been re-elected in November 1996 with the backing of American Jewry,⁴⁷ and for at least the next twelve months need not be unduly concerned about Netanyahu appealing to an American constituency over his head.

A re-elected president usually enjoys a measure of independence at the beginning of his second term. But Clinton faced constraints of a different order. The Republicans had pursued him throughout his presidency about alleged personal indiscretions, some of which pre-dated his election to that

⁴⁴ Government of Switzerland (2001). Declaration. *Conference of High Contracting Parties to the Fourth Geneva Convention*, 5 December 2001.

<http://domino.un.org/UNISPAL.NSF/85255a0a0010ae82852555340060479d/8fc4f064b9be5bad85256c1400722951!OpenDocument> – accessed 28 April 2003

⁴⁵ Albright (2003). *Madam Secretary*, p.507

⁴⁶ Ross, D.B. (2004). *The Missing Peace*, p.452

⁴⁷ Quandt (2001). *Peace Process*. Jewish voters overwhelmingly supported Clinton, who was introduced at campaign rallies as the best friend Israel had ever had. p.344

office. Eleven possible grounds of impeachment were advanced in a report lodged with the House Judiciary Committee in September 1998. He would need the help of his congressional supporters if the Congress were to proceed with impeachment, and he was careful not to alienate them. Also, his wife had been approached about standing for the Senate in the interest of the State of New York⁴⁸ and would be courting the vote of its influential Jewish community. Moreover, he had pledged when first running for the presidency never to criticise Israel publicly.⁴⁹ When questioned whether this pledge may have influenced his actions in relation to the settlements issue, Clinton replied: 'We don't believe that unilateral actions by any parties, including other interested parties like the United States, which compromise the capacity of the parties to the Oslo accord to reach agreement on final status issues, should be taken. And that includes provocative settlement actions. We have made that clear and unambiguous'.⁵⁰ The fact remains that, while prepared to try to persuade the Israelis in private, the Clinton Administration did not publicly criticise Israel. To the contrary, its posture on the world stage was consistently one of public protection for Israel and preservation of the Oslo process,⁵¹ leading many in the Arab world and beyond to question America's professed role in the peace process as an honest broker.

Clinton hoped that some amelioration in the level of violence would encourage Netanyahu to advance the peace process. He proscribed access by designated Middle Eastern terrorist organisations to sources of financial support in the United States through an Executive Order in January 1995;⁵² and announced in March 1996 the stationing of American specialists in Israel to work with and to improve antiterrorism cooperation among Israeli, Palestinian and regional governments. The commitment was backed by a two-year \$100

⁴⁸ Clinton, H.R. *Living History*. The question of her candidature was first raised in December 1995. It gathered momentum when Democrat Senator Moynihan announced in November 1998 that he would not be seeking a further term. p.483

⁴⁹ Clinton, W.J. (1999). The President's News Conference with President Hosni Mubarak of Egypt, 1 July 1999. *Public Papers - President Clinton, 1999*, p.1238

⁵⁰ Ibid. p.1238

⁵¹ Clinton, W.J. (2000). Written Responses to Questions Submitted by the Arabic-language Newspaper *Al Hayat*, 10 August 2000. *Public Papers - President Clinton, 2000*. Clinton said: 'From the beginning of my administration, one factor has guided me: to take no action that I judged would harm the peace process'. p.1855

⁵² Clinton, W.J. (1997). Letter to Congressional Leaders Reporting on Terrorists who Threaten to Disrupt the Middle East Peace Process, 28 January 1997. *Public Papers - President Clinton, 1997*, p.95; Executive Order 12947, 24 January 1995

million programme for Israel, supplemented by intelligence sharing arrangements with the CIA.⁵³ He reviewed progress under the programme with Netanyahu in February 1997 and announced that delivery would begin that year of F-15-1 fighters to strengthen Israel's air defences.⁵⁴ But he was dealing with a prime minister who had rejected the assessment of his General Security Service and his director of military intelligence 'that Arafat had no incentive to cooperate with Israel in the fight against Islamic terror as long as he believed that Israel was not complying with the Oslo accords'.⁵⁵

By mid-1997 it was clear that the peace process had stalled.⁵⁶ Clinton was challenged about avoiding the implications of Netanyahu's refusal to bargain land for Palestinian peace and asked whether he preferred to minimise short-run frictions with the Israeli government or reach for a long-term peace?⁵⁷ The president defended his position, stating that 'there is no foreign policy problem to which I have given more of my personal time since I became president in 1993'.⁵⁸ He added that 'until the parties trust each other and until the Israelis believe that the Palestinian Authority is making 100 per cent effort, which is different from 100 per cent results...it is impossible for peace to proceed'.

Reinvigorating the peace process

During her first six months as secretary of state, Albright concentrated on European affairs, a reflection of Clinton's second-term priorities. She

⁵³ Clinton, W.J. (1996). The President's News Conference with Prime Minister Shimon Peres of Israel in Jerusalem, 14 March 1996. *Public Papers - President Clinton, 1996*. Clinton recognised that there could be no absolute protection against terrorism, but said that more could be done 'to identify the sources of support, to try to dry up money, [and] to develop better technical and other means' of prevention. pp.445-6

⁵⁴ Clinton, W.J. (1997). The President's News Conference with Prime Minister Binyamin Netanyahu of Israel, 13 February 1997. *Public Papers - President Clinton, 1997*, p.152

⁵⁵ Shlaim (2000). *The Iron Wall*, p.584

⁵⁶ Denver Summit of the Eight (1997). Communiqué. Para 84: 'The Peace Process faces a crisis, and we are determined to reinject momentum into it. Restoring the sense of security and confidence among Israelis and Palestinians is essential. We shall do our utmost to reinvigorate implementation of the Oslo Accords and to uphold the principles of Madrid, including the exchange of land for peace. All the problems need to be addressed peacefully through serious and credible negotiations. Both sides must refrain from actions that impede the peace process by preempting permanent status negotiations.'

<http://usinfo.state.gov/topical/econ/group8/summit97/document.htm> - accessed 31 March 2003

⁵⁷ Clinton, W.J. (1997). The President's News Conference, 6 August 1997. *Public Papers - President Clinton, 1997*, p.1062

⁵⁸ Ibid. p.1063

believed that Christopher had squandered time and political capital in visiting the Middle East two dozen times in his four years, often to no apparent effect. Also, it was her appreciation that the gaps between the Israelis and Palestinians were too wide to be bridged from the top and that a useful tactical approach might be to encourage lower-level contacts on technical issues, thus narrowing the gaps from the bottom up.⁵⁹

By August 1997 she had decided that if the peace process were to be reactivated, a more energetic American role was necessary,⁶⁰ and she changed her mind about the appropriate approach. She suggested that, instead of using the gradual confidence-building approach of the Oslo accords, momentum might be restored by getting the parties to focus on their ultimate goal. Netanyahu had made a similar proposal in April, but it had been rejected by Arafat and other Arab leaders. The final status negotiations had been opened ceremonially just before Netanyahu's election in May 1996, but had not since been resumed. The Administration's new proposal included the presence of American officials at the negotiating table. It was hoped that this would give Arafat confidence in a US-backed strategy.

Although reinvigoration of the peace process was the ostensible reason for Albright's involvement, there was a strong sense of its being an exercise in damage control. She reminded both parties of their mutual responsibilities, conscious in doing so that she was working against a preference in the Congress that her message should be confined solely to a denunciation of Palestinian terrorism. Arafat found her appeal to mutual responsibility more persuasive than Netanyahu, and offered some new and encouraging counterterrorism initiatives.⁶¹ This had prompted her to advance her unsuccessful 'time-out' proposal.

Albright met Netanyahu again in London and Arafat in Bern in November, where she discussed ideas that the Administration believed were necessary to get the two parties started on accelerated negotiations leading to

⁵⁹ Lippman, T. W. (2000). *Madeleine Albright and the New American Diplomacy*. Boulder CO, Westview Press. p.190

⁶⁰ Erlanger, S. (1997). "U.S. shifts stand on Mideast talk, to Israeli plan." *The New York Times on the Web*, 7 August 1997.

⁶¹ Lippman. *Madeleine Albright*, cites aides close to Netanyahu as saying that he never believed that the Palestinians were committed to peaceful coexistence with Israel and that Palestinian terrorism gave him the tool he needed to avoid ever getting to that point. p.195

permanent status,⁶² but Albright was irritated by Netanyahu's now apparent disinterest in faster movement.⁶³ At the Middle East and North Africa Economic Conference in Doha, itself an embarrassment because Arab states had decided not to participate,⁶⁴ she stated bluntly that the peace process was 'in danger...because leaders have failed to take the actions required to realise the possibilities of peace'⁶⁵ and that 'there will be no peace if the leaders of [the] region sit on the sidelines and wait for others to take the risks'. She told the assembly that the economy in the West Bank and Gaza was in a dire condition due largely to the impact of security-related closures, and as a consequence the Administration was encouraging Israel to undertake economic confidence-building measures for the Palestinians. The United States was also helping to develop initiatives such as the Gaza industrial estate to promote economic opportunity and growth; and she exhorted Arab states to meet their responsibilities. Exasperation with the unravelling process was evident: the secretary had other urgent matters to worry about and she threatened that she was not inclined to return to the Middle East unless there was enough happening for her participation to make a difference.⁶⁶

Notwithstanding her frustration, the Administration continued to explore the prospect of moving negotiations more quickly into the final status stage. When Netanyahu had originally advanced this, he had expressed concern that a lot of the issues to be resolved were highly contentious and it would ease his domestic difficulties to put them all into the one package and to have as few ratification votes as possible.⁶⁷ Subsequent American diplomacy helped the parties to agree on an agenda.⁶⁸ The Administration worked with both sides in accordance with the agenda and planned that its efforts would

⁶² Clinton, W.J. (1998). Remarks to the Mayors Conference on Public Schools, 7 May 1998. *Public Papers - President Clinton, 1998*, p.711

⁶³ Erlanger, S. (1997). "Albright expresses irritation after talks with Netanyahu." *The New York Times on the Web*, 15 November 1997.

⁶⁴ Lippman. *Madeleine Albright*, p.125

⁶⁵ Albright, M.K. (1997). "U.S. Efforts to Increase Regional Economic Cooperation, 16 November 1997." *US Department of State Dispatch* (December 1997) pp 7-8

⁶⁶ Lippman. *Madeleine Albright*, p.203

⁶⁷ Clinton, W.J. (1998). Remarks Following Discussions With Chancellor Helmut Kohl of Germany and an Exchange With Reporters in Potsdam, Germany, 13 May 1998. *Public Papers - President Clinton, 1998*, p.747

⁶⁸ It provided for accelerated permanent status talks; security with emphasis on pre-empting and fighting terror; further redeployment of Israeli forces; and a time-out on unhelpful unilateral steps.

result in the final status talks being launched in Washington on 11 May 1998, but the gap between the two parties' positions remained too wide to offer prospect of movement. Arafat was seeking a transfer of a further 30 per cent of the remaining territory to the Palestinian Authority, while Netanyahu had intimated to Clinton that he might be able to go as high as 11 per cent.⁶⁹ Clinton was obliged to issue a statement that day saying that the meeting would not take place.⁷⁰

In the course of its dialogue with the Israelis and Palestinians, the Administration developed its own appreciation of the parties' positions and of a possible way forward. Albright articulated this on 12 May. She stressed the urgency of launching the permanent status talks because the interim period under the Oslo accords was due to expire in a year's time, on 4 May 1999. She suggested that the only way of achieving a settlement by that date was if Israel were to undertake a further force redeployment. Albright was, of course, aware that her predecessor had written to Netanyahu in 1997 saying that the extent and location of any further withdrawal was a matter for Israel alone, but she argued that it was 'in the nature of partnership that Israel should take Palestinian concerns into account, while following the terms of its agreement'.⁷¹ While she did not define the area from which Israel should redeploy, it was known that the Americans were thinking of withdrawal from about a further 13 per cent of West Bank and Gaza territory. Although less than Arafat's ambit claim, this was acceptable to him.⁷² Albright's biographer described her speech 'as one of the most forthright challenges to Israel offered by any senior-level American official since James Baker...confronted the Jewish state over the issue of settlements in the West Bank'.⁷³ Neither Netanyahu nor some American friends of Israel were enamoured of Albright's proposal.⁷⁴

⁶⁹ Albright (2003). *Madam Secretary*, p.302

⁷⁰ Clinton, W.J. (1998). Statement on the Middle East Peace Process, 11 May 1998. *Public Papers - President Clinton, 1998*, p.738

⁷¹ Albright, M.K. (1998). The Middle East Peace Process, 12 May 1998, U.S. Department of State. <http://secretary.state.gov/www/statements/1998/980512.html> - accessed 2 April 2003

⁷² Clinton, W.J. (1998). The President's News Conference with Prime Minister Romano Prodi of Italy, 6 May 1998. *Public Papers - President Clinton, 1998*, p.702

⁷³ Lippman. *Madeleine Albright*, pp.142-3

⁷⁴ *Ibid.* p.143

Albright did not resile from it because there was little prospect of going directly to the final status negotiations without an Israeli redeployment. She explored with Netanyahu and Arafat separately the possibility of their accepting such an arrangement, and whether they might meet each other when they visited New York in September 1998 for the UN General Assembly meeting. She brought the two leaders together and left them alone. That was sufficient to break the ice after more than a year's estrangement.⁷⁵ The president met with them on 28 September and announced after their meeting that there had been 'a significant narrowing of the gaps between the two parties across a wide range of issues that were in the American initiative that we've been working on for months'.⁷⁶

The president tasked Albright to gauge the prospect for success if he were to invite the two leaders to a detailed negotiating conference. She was concerned that any summit should succeed because failure would leave American looking impotent.⁷⁷ She visited Gaza in October and reported that a new spirit pervaded the resumed Israeli-Palestinian dialogue. Clinton then invited the parties to the Wye River Plantation later that month. With only months remaining to May 1999, the final status deadline would be impossible to meet, but to walk away from it without at least the appearance of an effort was to invite a new cycle of despair, extremism, and violence.⁷⁸ Netanyahu accepted the logic, conscious that participation in negotiations did not commit him in advance to any particular outcome. Throughout the discussions leading to his attendance, Albright had maintained pressure on him to acquiesce in her interpretation of the way forward. She enjoyed Clinton's backing in this. The Administration's task at Wye would be to convince Netanyahu to concede without breaching the tradition of American support for Israel.

⁷⁵ Ibid. pp.203-4

⁷⁶ Clinton, W.J. (1998). Remarks Following Discussions with Prime Minister Binyamin Netanyahu of Israel and Chairman Yasser Arafat of the Palestinian Authority and an Exchange with Reporters, 28 September 1998. *Public Papers - President Clinton, 1998*, p.1698

⁷⁷ Albright (2003). *Madam Secretary*, p.303

⁷⁸ Lippman. *Madeleine Albright*, p.205

Wye River Plantation negotiation

The negotiation⁷⁹ appeared to meet the Administration's objective in opening the way toward further progress. An agreed Memorandum provided for the transfer of land to the Palestinians in two tranches - 13 per cent in the first and 14.2 per cent in the second - and the establishment of a committee to consider any subsequent tranche. To assist the economic development of the Palestinian Authority, the timely opening of the Gaza industrial estate and port were agreed. Israel's security concerns were addressed, with the United States agreeing to be a full partner with the Palestinians in 'the systematic and effective combat of terrorist organisations and their infrastructure',⁸⁰ for which purpose they would meet biweekly. Concurrently, a US-Palestinian-Israel committee would be established to enhance cooperation to prevent arms smuggling and 'to monitor cases of possible incitement to violence or terror',⁸¹ and 'a high-ranking US-Palestinian-Israel committee will meet...not less than biweekly to assess current threats, deal with any impediments to effective security cooperation and address the steps being taken to combat terror and terrorist organisations'.⁸² These provisions were drafted with the assistance of the CIA and based upon its experience with the Israelis and Palestinians. In a further concession, as important to American domestic opinion as to Israeli sensibilities, the Palestine National Council would, at a meeting of the Council to be attended by President Clinton, reaffirm the nullification of those provisions of the Palestine National Charter that were inconsistent with the peace process, and reaffirm its support for the peace process.⁸³ Finally, the two sides agreed to negotiate continuously and without interruption on permanent status issues with a view to reaching an agreement by 4 May 1999.⁸⁴

Clinton participated intermittently in the negotiations until it became clear that they were stalemated, when he threw himself into the endgame. The

⁷⁹ The Wye River Plantation talks began on 15 October and concluded with the signing of a memorandum on 23 October 1998; Albright (2003). *Madam Secretary*, contains an extensive record of the trials and atmospherics of the negotiation at Ch.19.

⁸⁰ Clinton, W.J. (1998). The Wye River Memorandum, 23 October 1998. Art. II A 1(b). *Public Papers - President Clinton, 1998*, pp.1839-42.

⁸¹ Ibid. Art. II A 3(b)

⁸² Ibid. Art. II B 3

⁸³ Ibid. Art. II C 2

⁸⁴ Ibid. Art. IV

Administration was strongly opposed to the Har Homa project, for which tenders were about to be called, seeing it as 'preempting the negotiations on permanent status with new facts on the ground',⁸⁵ and told Netanyahu so. Perhaps international criticism of the project in 1997 had stiffened its resolve. Netanyahu made it clear to the Americans that politically he had no choice but to proceed with it. Clinton used this admission to extract agreement on the transfer of land to the Palestinians. Having achieved that, and Arafat not having challenged the trade-off when Clinton explained the situation to him, the president did not feel that he could fight Netanyahu further over the project.⁸⁶ Once again, King Hussein assisted in the conclusion of a deal between the Israelis and Palestinians. But within a week of the Memorandum's signing Clinton had to address what the United States could do to prevent its unravelling.⁸⁷ Netanyahu had run into difficulties with his government: the right fearing that Netanyahu would implement Wye, handing over territory to the Palestinians, while the left feared that he would halt implementation of the agreement as soon as possible on one pretext or another.⁸⁸ And a Palestinian suicide bomber launched an attack on 29 October. Eight members of the Israeli cabinet approved the agreement, four voted against it and five ministers abstained.⁸⁹ The uncertainty within the cabinet did not reflect Israeli public opinion. A newspaper poll showed that 74 per cent of Israelis supported the terms of the Wye River Memorandum.⁹⁰ The Knesset overwhelmingly approved the agreement by 75 votes to 19, with 9 abstentions.⁹¹ Clinton saw his task during his visit to Israel and the Palestinian Authority as the consolidation of public support for implementation of the agreement. In order to give sceptical Israelis some reassurance, he concluded an agreement with Netanyahu on the potential threat to Israel posed by the proliferation of ballistic missiles and WMD in the region,⁹² and

⁸⁵ Ross, D.B. (2004). *The Missing Peace*, p.329

⁸⁶ Ibid. pp.450-2, 467

⁸⁷ Clinton, W.J. (1998). The President's News Conference with President Andres Pastrana of Colombia, 28 October 1998. *Public Papers – President Clinton, 1998*, p.1892

⁸⁸ Morris. *Righteous Victims*, p.648

⁸⁹ Shlaim (2000). *The Iron Wall*, p.604

⁹⁰ Ibid. p.604

⁹¹ Ibid. p.604

⁹² Clinton, W.J. (1998). Joint Statement of the President of the United States and the Prime Minister of Israel, 31 October 1998. *Public Papers - President Clinton, 1998*. A joint strategic

foreshadowed additional aid to Israel.⁹³ To convince Palestinians of the value of the agreement, Albright convened a pledging conference at the State Department on 30 November. She brought Arafat together with the European Union, Norway and the World Bank. Clinton addressed that meeting, noting that the Palestinians' '[p]er capita income is down. Unemployment is too high. Living conditions are extremely difficult'.⁹⁴ The European Union made significant additional pledges of economic assistance to the West Bank and Gaza.⁹⁵

Netanyahu greeted Clinton on his arrival in Israel on 13 December 1998, complaining that the Palestinians were saying they would unilaterally declare statehood, with East Jerusalem as their capital, on 4 May 1999.⁹⁶ Clinton responded in an address to the people of Israel, reassuring them that 'Palestinian leaders must...avoid the impression that unilateral actions can replace agreed-upon negotiations'.⁹⁷ He stressed the importance of the Wye agreement and explained that the prime minister had 'succeeded in obtaining a set of systematic Palestinian security commitments and a structure for carrying them out'.⁹⁸ It was vital that Israelis 'recognise the validity of this agreement and work to sustain it and all other aspects of the peace process'.⁹⁹ And he challenged Israelis to define their vision for the future, pointing out that Israelis

planning committee would be established to formulate recommendations on upgrading the framework of U.S.-Israeli strategic and military relationships, as well as technical cooperation. p.1940

⁹³ The President said that he would seek from Congress a \$1.2 billion package to help Israel meet its security needs, including those growing out of the redeployments under the Wye agreement. Clinton, W.J. (1998) Remarks to the People of Israel in Jerusalem, 13 December 1998. *Public Papers – President Clinton, 1998*, p.2169

⁹⁴ Clinton, W.J. (1998). Remarks at a Conference To Support Middle East Peace and Development, 30 November 1998. *Public Papers - President Clinton, 1998*. The President said that he was seeking Congressional authority to provide \$400 million in aid to the Palestinian Authority additional to the \$100 million regular annual contribution usually provided by the United States. An industrial estate at Gaza could provide work for some 20,000 people and he appealed to 'private organisations and individuals to join governments in deepening investments in the region'. pp.2093-4

⁹⁵ European Union (1998). United States-European Union Declaration on the Middle East Peace Process, 18 December 1998. *Public Papers - President Clinton, 1998*, p.2194

⁹⁶ Clinton, W.J. (1998). The President's News Conference with Prime Minister Binyamin Netanyahu of Israel in Jerusalem, 13 December 1998. *Public Papers – President Clinton, 1998*, p.2161

⁹⁷ Clinton, W.J. (1998). Remarks to the People of Israel in Jerusalem, 13 December 1998. *Public Papers - President Clinton, 1998*, p.2169

⁹⁸ Ibid. p.2169

⁹⁹ Ibid. p.2169

and Palestinians are 'bound to be neighbours. The question is not whether you will live side by side, but how you will live side by side'.¹⁰⁰

The next day he attended a meeting of the Palestine National Council and witnessed the vote to amend the Palestine National Charter. He applauded the Council's rejection of the passages of the Charter calling for the destruction of Israel and said that it sent 'a powerful message not to the Government but to the people of Israel'.¹⁰¹ While enjoining Palestinians to 'recognise the right of Israel and its people to live safe and secure lives today, tomorrow, and forever', he said that 'Israel must recognise the right of Palestinians to aspire to live free, today, tomorrow, and forever'.¹⁰² The president acknowledged the Palestinians' high unemployment level; grief as a result of losses from violence and the separation of families; hardship due to restrictions on the movement of people and goods; and concerns about settlement activity, land confiscation and home demolitions.¹⁰³ His empathy was well received by his audience, but less favourably so in Israel.¹⁰⁴

The Administration's expectations from the signing of the Wye memorandum were rapidly confounded. Although the Knesset had endorsed the agreement, Netanyahu's government continued to find it highly divisive. He suspended the Wye process on 20 December, and in doing so broke his own commitment to observe all of his country's agreements. The reason for his doing so are unclear: perhaps divisions within his cabinet made progress impossible; perhaps he could not bring it upon himself to surrender any part of *Eretz Israel* to which he was ideologically committed; or perhaps he never really believed in it, having signed it under American pressure. Three days later the Knesset decided to dissolve itself and to hold new elections for the parliament and premiership. A date was chosen in May 1999, significantly later than the 4 May date postulated in various accords for completion of

¹⁰⁰ Ibid. p.2168

¹⁰¹ Clinton, W.J. (1998). Remarks to the Palestine National Council and Other Palestinian Organisations in Gaza City, 14 December 1998. *Public Papers - President Clinton, 1998*, p.2177

¹⁰² Ibid. p.2176

¹⁰³ Ibid. p.2176; Mrs Clinton refers to her husband's sympathy as drawn 'from a deep well of caring and emotion that enables him to reach out to people in pain'. Clinton, H.R. *Living History*, p.295

¹⁰⁴ Lippman. *Madeleine Albright*, p.209

arrangements for Palestinian self-government. This also gave the major parties time to contest a possible challenge from an embryonic centre party.¹⁰⁵

Netanyahu's premiership had not only set back the development of constructive relations with the Palestinians, it had eroded hard-won recognition of Israel within the Arab world and North Africa. The Clinton Administration had found him an exasperating 'partner'.¹⁰⁶ The Administration's achievement in keeping the peace process afloat during Netanyahu's term in office was a considerable one. During most of the Netanyahu years the president was preoccupied with other issues, including from January 1998 with domestic difficulties flowing from his dalliance with a White House intern.¹⁰⁷ Counsel with connections to the Republican Party inquired into his conduct. Netanyahu may well have concluded that the president's authority was on the wane, and that the Israeli government need only make minimal concessions to him until such time as his star was eclipsed. Despite Clinton's preoccupations, he and his Middle East negotiators had been able to preserve for the longer-term the intimate character of the United States relationship with Israel, while contending with Israeli policies to which they were clearly opposed, and to retain a working relationship with the Palestinians. They were clearly frustrated by Netanyahu's flagrant breach of agreements and his 'unhelpful' policy of building Jewish settlements in the vicinity of Jerusalem. Netanyahu's policies contributed to a lowering of living standards in Palestinian territory and resulted in a growing attraction among Palestinian youth for direct action against Israelis. Unable to persuade Netanyahu to desist from policies that fuelled anti-Israeli behaviour, the United States brokered agreement at Wye on measures that might restrain Palestinian rejectionists. But Netanyahu declined to give these measures a chance to prove their effectiveness, notwithstanding public support for them. His actions suggest

¹⁰⁵ Morris. *Righteous Victims*, p.649

¹⁰⁶ Ross. D.B. (1999). The Middle East Peace Process in the Wake of Ehud Barak's Victory. Presented at: *The Barak Victory: Implications for Israel, the Peace Process, and US Policy*. Soref Symposium 17-18 June 1999. Washington DC, The Washington Institute for Near East Policy. p.3

¹⁰⁷ News reports of her husband's affair with Monica Lewinsky appeared on 21 January 1998. Lewinsky had worked at the White House two years earlier. Clinton, H.R. (2003). *Living History*, pp.440-1

that he believed that he could ignore American importuning and inducement, and that Israel could impose its own settlement terms on the Palestinians.¹⁰⁸

Israel's return to Labor

The United States faced a new situation in Israel after the election of 17 May 1999, offering both possibilities and problems. The election produced a decisive victory for Ehud Barak, who won 56 per cent of the votes for the premiership. But in the concurrent parliamentary vote, the electorate presented Barak with 'a political dead end'.¹⁰⁹ Not only did support for his Labor Party decline, but the centrist parties together could only muster 50 seats in the 120-seat Knesset. He put together a coalition, adding the 27 seats of the three religious factions to his centrist core. Barak had pledged to the electorate that he would implement the Wye River accord and resume negotiations with the Palestinian Authority, but that Israel would not withdraw to the 1967 'border' or from large blocs of Jewish settlements in the West Bank and Gaza Strip. Israel would control all of Jerusalem. One commentator has described the difference between Barak and Netanyahu as that between a tough negotiator and a non-negotiator.¹¹⁰ The Palestinians were not certain how to view this change of guard. While Netanyahu's departure was a relief, his policies had produced 'a gradual cooling of America's relations with Israel and a concomitant warming of its relations with the Palestinian Authority'.¹¹¹

Clinton saw Barak as a helpful actor, and one who would enable a different approach to be taken.¹¹² Barak met a number of Middle East leaders before visiting Washington in July. He said that he had assured them that

¹⁰⁸ Hermann, M.G. and J.D. Hagan (1998). "International Decision Making: leadership matters." *Foreign Policy* Iss.110 Spring 1998. The authors attribute Netanyahu's 'resistance to international pressure for greater Israeli cooperation in the peace process...[to]...not only his own hardline convictions but [to] the Likud-led coalition's tenuous majority in the Knesset, his dependence on cabinet hardliners holding key ministries, and, more generally, the realignment of Israeli party politics in the 1990s'. p.133

¹⁰⁹ Morris. *Righteous Victims*, pp.652-3

¹¹⁰ Shlaim (2000). *The Iron Wall*, p.608; Slater, J. (2001). "What Went Wrong? The collapse of the Israeli-Palestinian Peace Process." *Political Science Quarterly* Vol.116 No.2 cites Barak as having said that he was emotionally a right-winger, but that in his head he was a realist/pragmatist. p.179

¹¹¹ Malley, R. and H. Agha (2001). "Camp David: the tragedy of errors." *The New York Review of Books*, 9 August 2001. <http://www.nybooks.com/articles/14380> - accessed 12 March 2002

¹¹² Clinton, W.J. (1999). Remarks at a Democratic National Committee Dinner in Coral Gables, Florida, 13 July 1999. *Public Papers - President Clinton, 1999*, p.1203 <http://www.gpoaccess.gov/pubpapers/search.html> - accessed 6 May 2003

Israel would work with them in a spirit of mutual trust; and that Israel would abide by all previous agreements, including the Wye accords.¹¹³ Barak had his own perception of an appropriate American role in the peace process: he was looking to the United States 'to contribute to the process more as facilitator than as a kind of policeman, judge and arbitrator'.¹¹⁴ Clinton agreed.¹¹⁵ But Barak seemed less certain whether to focus on the Palestinian or Syrian tracks and, in relation to the Palestinian one, how to subsume the previously agreed phased withdrawals into final status issues.¹¹⁶ On the matter of Israeli settlements, he declared that he was not going to build new ones, but neither was he going to dismantle any of them. He envisioned the permanent status negotiation resulting in an Israel that incorporated 'a strong block of settlements that will include most of the settlers in Judeo-Samaria and the Gaza Strip'.¹¹⁷

Clinton was satisfied that Barak was sincere in pressing ahead with the peace process. Suggestive of their having agreed to test first the receptiveness of the Palestinians, Clinton rang Arafat after Barak's visit and urged him to meet with the prime minister and to hear him out.¹¹⁸ And to shore up Barak's support, inducements were offered that ranged well beyond the assistance promised for implementation of the Wye River accord. By mutual agreement, the United States would increase incrementally its annual military aid to Israel over the next decade to a level of \$2.4 billion, while phasing out economic aid over a comparable period,¹¹⁹ and the Administration pledged to work with

¹¹³ Clinton, W.J. (1999). Remarks Prior to Discussions With Prime Minister Ehud Barak of Israel and an Exchange with Reporters, 15 July 1999. *Public Papers - President Clinton, 1999*, p.1378

¹¹⁴ Ibid. p.1378

¹¹⁵ Ibid. p.1378. Clinton said: 'I thought that the peace process worked best when we were essentially facilitating direct contacts between the parties and helping to make sure that there was a clear understanding... We took a more active role, in effect, as a mediator when the bonds of trust and the lines of communication had become so frayed that we were in danger of losing the peace process'.

¹¹⁶ Ibid. p.1380

¹¹⁷ Ibid. p.1380

¹¹⁸ Clinton, W.J. (1999). The President's News Conference, 21 July 1999. *Public Papers - President Clinton, 1999*. Clinton said that he 'went out of his way not to describe Prime Minister Barak's proposals or to advocate or not advocate, but simply to say that [he] was convinced they were being made in complete good faith and that... the peace process would be revitalised and whatever they [Arafat and Barak] did from here on out is something that they would do together'. p.1443

¹¹⁹ The US-Israeli defence relationship would be further consolidated to meet the challenges of weapons of mass destruction, counter proliferation and theatre missile defence. In relation to

Israel and regional partners in two areas addressed by the multinational working groups – tourism and water. In respect of the latter, the Administration would promote the development of new and additional sources of water, including desalination, and examine ways to transfer water to arid lands.¹²⁰

Clinton had evidently convinced Arafat to treat with Barak. A decision to integrate the Wye commitments with final status negotiations was expressed in a memorandum concluded by Arafat and Barak at Sharm el-Sheikh on 4 September 1999, witnessed by President Mubarak, King Abdullah and Albright.¹²¹ The memorandum provided for a determined effort to conclude a Framework Agreement on all permanent status issues within five months, and the conclusion of a comprehensive settlement within one year from the resumption of the permanent status negotiations on the basis of Security Council Resolutions 242 and 338. Further territory would be transferred to the Palestinian Authority in three bites in September and November 1999 and January 2000; Palestinian prisoners who had committed offences prior to the signing of the Declaration of Principles in 1993 would be released; and work would begin on safe passage for the movement of persons, vehicles and goods between the Gaza Strip and the West Bank.¹²² After the first withdrawal and the release of the prisoners, arguments erupted over how much and which territory was to be handed over to the Palestinians in the second stage in November.¹²³ Barak's policy of permitting the expansion of existing settlements led the Palestinians to suspend negotiations in December; and destroyed any prospect of the conclusion of a Framework Agreement by the agreed February 2000 deadline.

the latter, the United States would provide funding for Israel's acquisition of a third Arrow anti-missile battery and work with Israel to develop new anti-ballistic missile technology. Also, there would be enhanced cooperation between NASA and the Israel Space Agency with a view to putting an Israeli astronaut into space.

¹²⁰ Clinton, W.J. (1999). Joint Statement by President Clinton and Prime Minister Ehud Barak, 19 July 1999. *Public Papers - President Clinton, 1999*, pp.1413-4

¹²¹ Clinton, W.J. (1999). Remarks at Camp David, Maryland, and an Exchange with Reporters, 4 September 1999. *Public Papers - President Clinton, 1999*. Clinton paid tribute to his Administration for helping the parties to 'bridge their final gaps and reach consensus' and to Mubarak for his 'critical role in facilitating this agreement'. p.1692

¹²² US Department of State (1999). "The Sharm el-Sheikh Memorandum on Implementation Timeline of Outstanding Commitments of Agreements Signed and the Resumption of Permanent Status Negotiations, 4 September 1999."

<http://www.us-israel.org/jsource/Peace/sharm0999.html> - accessed 23 September 2002

¹²³ Morris. *Righteous Victims*, pp.653-4

Concurrent with these developments, Barak had been making overtures to the Syrians. In mid-December 1999, the Administration judged the prospect of movement between the Israelis and Syrians as sufficiently attractive to warrant the convening of meetings at Shepherdstown. David Makovsky, a former executive director of *The Jerusalem Post*, has recorded that 'Barak figured that his best chance to get the Palestinians to compromise while neutralising the last military threat on Israel's borders was to cut a separate deal with Syria'.¹²⁴ The failure of negotiations on the Syrian track has been discussed in chapter 6, as has Barak's unilateral withdrawal of forces from the Israeli security zone in southern Lebanon. American and Israeli preoccupations with those matters effectively constrained further development on the Palestinian track for some months. Negotiation of a Palestinian final status agreement was resumed in March 2000.

The Israelis agreed to transfer land around Jericho, Ramallah and Jenin to the Palestinians, and President Clinton was mandated by Barak to tell Arafat that three Arab villages in the neighbourhood of East Jerusalem would also be transferred to the Palestinian Authority. But the fragile nature of Barak's coalition was exposed when its right-wing members prevented his transferring the Arab villages. Clinton was furious at having been made out to be a 'false prophet' to a foreign leader.¹²⁵ Ministers from three of the coalition parties resigned in July; and the Knesset voted 54 to 52 in favour of a no-confidence motion that fell short of the 61 votes needed by law to topple a government.¹²⁶ Barak claimed with some justification that the party structure of the Knesset no longer reflected the popular will, which was in favour of peace and supported major concessions to achieve it.¹²⁷

¹²⁴ Makovsky, D. (2001). "Middle East Peace Through Partition." *Foreign Affairs* Vol.80 No.2 (Mar/Apr 2001) p.37

¹²⁵ Malley and Agha. "Camp David: the tragedy of errors."; Sontag (2001). "Quest for Middle East Peace: how and why it failed." *Journal of Palestine Studies* Vol.XXXI No.1 (Autumn 2001). She says that Barak had won the Knesset's consent to transfer the villages, but decided to defer the transfer indefinitely because violence had erupted in the West Bank. p.80

¹²⁶ Alon, G. (2000). "54 MKs vote against PM's peace mission." *Ha'aretz*, 11 July 2000. <http://www.haaretz.co.il/eng> - accessed 14 April 2003

¹²⁷ Morris. *Righteous Victims*, p.658

Despite this setback, Clinton continued to explore prospects of movement between the Israelis and Palestinians with key actors.¹²⁸ He suggested the creation of a fund that would deal with the financial burdens of the displaced refugees, including those in Jordan,¹²⁹ an idea that he was to recycle in December 2000. Barak's domestic difficulties suggested to him that if he were to secure agreement to the terms of any settlement, all concessions and all rewards would have to be presented to a national referendum in one comprehensive package.¹³⁰ In coming to this conclusion he was, in fact, building upon an idea first floated by Netanyahu in 1997, rejected at that time by Arafat, and later investigated by Albright.

Barak insisted on the holding of a summit, judging that without it he would be unable to hold his government together. From America's perspective, Barak's determination to reach a final deal and the risks he was prepared to take to get there contrasted favourably with Arafat's perceived inflexibility and disposition to hang onto what he had gained in interim commitments, notwithstanding the fact that it must have been apparent to Arafat that the longer the negotiating process was stretched out, the more Israel took advantage of its unconstrained power to pre-empt the outcome by creating new facts on the ground.¹³¹ Consequently, Clinton acquiesced in Barak's request for a summit against the advice of Arabs, Europeans, and Palestinians.¹³² Arafat had expressed his reservations directly to Clinton at their meeting on 15 June.¹³³ He was also talking about unilaterally declaring statehood on 13 September 2000, seven years from the signing of the Declaration of Principles. The Administration viewed this as unhelpful to the

¹²⁸ The President received Arafat in Washington in April 2000 and met Barak in Lisbon in May. King Abdullah called on him in June, and Arafat did so again later that month.

¹²⁹ Clinton, W.J. (2000). Exchange With Reporters Prior to Discussions with King Abdullah II of Jordan, 6 June 2000. *Public Papers - President Clinton, 2000*, p.1307

¹³⁰ Malley and Agha. "Camp David: the tragedy of errors."

¹³¹ Slater (2001). "What Went Wrong?", p.190

¹³² Hedges, C. (2001). "The New Palestinian Revolt." *Foreign Affairs* Vol.80 No.1 (Jan/Feb 2001). p.135

¹³³ Malley and Agha. "Camp David: the tragedy of errors." Arafat argued that Barak had not implemented prior agreements; there had been no progress in the negotiations; and the prime minister was holding all the cards. He told Albright that the only outcome of a summit in these circumstances was to have everything explode in the president's face; Hanieh, A. (2001). "The Camp David Papers." *Journal of Palestine Studies* Vol.XXX No.2 (Winter 2001), said that the Americans were warned not to get themselves into a situation such as the president encountered with President Assad in Geneva. p.76

peace process, and decided that the convening of an early summit might forestall it.

Any summit had to be out of the way before the Democratic National Convention met to select its candidate for the 2000 presidential election. Vice-President Al Gore was a candidate, and the White House did not want to see meetings at Camp David at a time when the focus should be on the Convention and Clinton's former running-mate. While Ross was not in favour of a meeting as early as July, he decided nevertheless to recommend that the summit be held on the ground that a meeting was preferable to no meeting.¹³⁴ Arafat had asked for more time to prepare for a meeting. The Administration shared his perception of the need for adequate preparation, but was constrained by the domestic political timetable.

Arafat posed several conditions for agreeing to participate,¹³⁵ seeking additional preparatory talks to ensure that Camp David would not fail, and that the third Israeli redeployment be implemented before any summit. The latter request was clearly incompatible with the purposes of a summit to resolve all permanent status issues and was turned down by the Administration. Arafat modified it, seeking a safety net in the form of an American guarantee that the third withdrawal would take place even if Camp David did not yield an agreement. Clinton extracted Barak's agreement to this, and thus secured Arafat's participation. US officials believed that the Palestinians' reservations would evaporate in the face of an appealing final deal; and officials having accepted Barak's argument for a final status summit, 'chose to use their leverage with the Israelis to obtain movement on the issues that had to be dealt with in a permanent agreement than expend it on interim ones'.¹³⁶ On the eve of the summit Clinton also volunteered that the United States would remain neutral in the event that it failed and that Arafat would not be blamed,¹³⁷ but the United States proceeded to disregard each of these undertakings.

¹³⁴ Interview with Ambassador Dennis B. Ross at Washington DC on 20 April 2001

¹³⁵ Arafat is reported to have preferred not to clash with the U.S. on a procedural matter such as the convening of a summit, saving his energies for substantive issues. Hanieh. "The Camp David Papers", p.84

¹³⁶ Malley and Agha. "Camp David: the tragedy of errors."

¹³⁷ Ibid.

The Camp David summit

The summit was held in July 2000 in a hermetically-sealed environment: there were no formal drafting or position papers in circulation, no party was bound by any proposal discussed at the summit, and nothing was to be taken as agreed until everything was agreed. Glimpses of what transpired have been provided through an exchange between two members of the American delegation and a member of the Palestinian one,¹³⁸ each of whom has his own partial interpretation.

Despite having sought the meeting, Barak refused to negotiate directly with Arafat at Camp David. The Americans became the intermediary, proposing 'ideas, suggestions, even language'.¹³⁹ Barak's strategy was that Israel ought not to reveal its final positions, not even to the United States.¹⁴⁰ He feared that if he put forward concessions he would have to pay the price domestically; that the Palestinians would use any concession as a point of departure for further concessions; and that the Americans would reveal his positions to the Palestinians. He therefore conveyed his positions through the Americans as 'immovable', asking the United States to present the Palestinians with a choice between propositions that he judged would be sufficiently attractive to command their support and unattractive alternatives, only to modify them when rejected. Not only were the propositions conveyed orally, but they were generally presented as US concepts, not Israeli ones.¹⁴¹ Barak and the Americans insisted that Arafat accept the propositions as general 'bases for negotiations' before launching into detailed discussion.

The lack of progress was disturbing to the Administration, and Albright decided to present an American paper that would deal with all issues except Jerusalem, which would be addressed later. This was unacceptable to the Palestinians, and she amended her paper to include Jerusalem. When she

¹³⁸ See Malley, R. (2001). "Fictions About the Failure at Camp David." *The New York Times on the Web*, 8 July 2001; Malley and Agha (2001). "Camp David: the tragedy of errors."; Ross, D.B. and G. Grinstein (2001). "Camp David: an exchange." *The New York Review of Books*, 20 September 2001. A Palestinian delegate at Camp David who has also recorded his recollections is Hanieh. "The Camp David Papers."

¹³⁹ Clinton, W.J. (2000). Written Responses to Questions Submitted by the Arabic-Language Newspaper *Al Hayat*, 10 August 2000. *Public Papers - President Clinton, 2000*, p.1855

¹⁴⁰ Albright (2003). *Madam Secretary*, p.485

¹⁴¹ Hanieh. "The Camp David Papers", records that on 17 July the Palestinians received proposals unofficially from the Israeli delegation several hours before Clinton presented them p.88

presented it, the Palestinians claimed that it 'distorted the Palestinian positions and contradicted not only the terms of reference of the peace process but the United States's own position on Jerusalem'.¹⁴² It was left to the president to tell Arafat that the paper was null and void.

The role of go-between was not a comfortable one for the Americans. Clinton found himself in an untenable position as Barak shifted his ground.

[I]n an extraordinary moment at Camp David, when Barak retracted some of his positions, the President confronted him, expressing all his accumulated frustrations. 'I can't go see Arafat with a retrenchment! You can sell it; there is no way I can. This is not real. This is not serious. I went to Shepherdstown [for the Israeli-Syrian negotiations] and was told nothing by you for four days. I went to Geneva [for the summit with Assad] and felt like a wooden Indian doing your bidding. I will not let it happen here!'¹⁴³

The Palestinians, too, were unaccommodating. Unaware of what the Israelis would present to him, Arafat had little opportunity to prepare a considered response. Worse, his delegation lacked coordination. This may suggest why the Palestinians did not advance propositions of their own.

Toward the end of the summit, an irate Clinton would tell Arafat: 'If the Israelis can make compromises and you can't, I should go home. You have been here fourteen days and said no to everything. These things have consequences; failure will mean the end of the peace process...Let's let hell break loose and live with the consequences'.¹⁴⁴

Some of the matters introduced at Camp David had been explored secretly and unofficially between some Israelis and Palestinians in Stockholm in 1995. Their outline was rejected by Peres when it was presented to him shortly after Rabin's death. Stockholm had again been used as a venue for discreet discussions until a leak of the substance of the talks in mid-May 2000, and Israel's push for an official summit, led to the closure of that channel. 'Israelis and Palestinians who took part say...that the discussions were groundbreaking...They made progress on the issues of territory, borders, security, and even refugees, although there were both advances and retreats on every issue'.¹⁴⁵ Refugees and Jerusalem were highly emotional topics which,

¹⁴² Ibid. p.87

¹⁴³ Malley and Agha. "Camp David: the tragedy of errors."

¹⁴⁴ Ibid.

¹⁴⁵ Sontag (2001). "Quest for Middle East Peace", p.80. At a public lecture in Canberra on 13 August 2003 the Palestinian negotiator, Ahmed Qurei, said that the Stockholm meeting had broken with convention and focussed on the eastern border of any Palestinian state. The

because of their sensitivity to both sides, had been conspicuously left to the end of the Oslo process when it was hoped that sufficient trust would have been developed to facilitate their peaceful resolution. Barak's introduction of these issues at Camp David without comprehensive exploration lent credence to Arafat's expressed concern about the need for adequate preparation. Both the Oslo agreements were the product of protracted negotiations, conducted away from the glare of publicity. An initiative by Barak on Jerusalem caught the Palestinians off-guard. There was no possibility that Arafat could cede sovereignty over East Jerusalem, the site of the third most significant Islamic shrine, to Israel. This was not solely a Palestinian matter: it affected the whole Muslim world and Arafat had no mandate to negotiate on its behalf. The refugee issue, too, involved the interests of other governments on which they ought properly to be given an opportunity to have their say.

The Administration was dealing with a Palestinian leader who seemed more anxious to survive the Camp David summit than to benefit from it.¹⁴⁶ It dangled various inducements before him in order to secure agreement. Statehood, involving recognition by the United States, Israel and the international community, was one prospect; another was financial assistance from the world's major industrial countries. Clinton would be leaving Camp David to attend a Group of Eight summit at Okinawa and would talk to the other participants about further assistance for the Palestinians. Arafat acknowledged the Palestinians' need for aid, but said that he would not exchange Jerusalem for a state.¹⁴⁷ Clinton then rang Arab leaders and urged them to advise Arafat to accept the offers under discussion or, failing that, to encourage him to sign an agreement postponing the Jerusalem issue. But Arafat had taken care to keep Arab and international leaders regularly informed about developments, and few responded to the president's appeal.¹⁴⁸ Another line taken by the American team was that a solution for Jerusalem would open the doors to solving all the other issues, but Arafat held to his

critical question of its western border had not been addressed and was one of the matters that informed the Palestinian view that any summit needed further preparation.

¹⁴⁶ Malley and Agha. "Camp David: the tragedy of errors."

¹⁴⁷ Hanieh. "The Camp David Papers", p.89

¹⁴⁸ Ibid. p.89

position that he would not 'sell' Jerusalem.¹⁴⁹ Some days later, Clinton employed the threat of a congressional freeze on aid to the Palestinian Authority. Arafat was unfazed. A new tack was tried, with Clinton suggesting that a 'sovereign presidential compound' be established for the *ra'is* and his state adjacent to the al-Aqsa Mosque. Arafat envisioned the situation – not so much a Holy See within the Italian capital as a small island surrounded by Israeli soldiers who controlled the entrances – and again demanded full Palestinian sovereignty over the territory of Jerusalem occupied in 1967.¹⁵⁰ Finally, Clinton set forth four points that he said was the final offer on Jerusalem: a committee made up of the UN Security Council and Morocco would grant the Palestinian state 'sovereign custody' of the Haram, while Israel would retain 'residual sovereignty'; the Muslim and Christian quarters of the Old City would come under Palestinian sovereignty, while the Jewish and Armenian quarters would fall under Israeli sovereignty; the Palestinians would have functional jurisdiction over some 'inner' neighbourhoods; Jerusalem's 'outer' neighbourhoods would be under Palestinian sovereignty. If the 'inner' neighbourhoods were also to come under Palestinian sovereignty, a special regime would have to be agreed upon that would apply to the Old City.¹⁵¹ The Palestinians responded that the proposals on Jerusalem were in contradiction with international law, which had to be the basis for any agreement.¹⁵² With that, the summit ended.

Robert Malley has drawn attention to the complex and often contradictory roles of the United States at Camp David: as principal broker of the putative peace deal; as guardian of the peace process; as Israel's strategic ally; and as its cultural and political partner. He believed that America's ability to be an effective broker was hamstrung by its political and cultural affinity with Israel and its strategic relationship with that country. Such was the cultural affinity between the United States and Israel that members of the American delegation were taken aback when Barak indicated that he could accept a division of the Old City of Jerusalem and they wondered whether he

¹⁴⁹ Ibid. p.90

¹⁵⁰ Ibid. p.95

¹⁵¹ Ibid. p.96

¹⁵² Ibid. Hanieh's record of this exchange states: 'It was now clear that the Americans had fully adopted the Israeli position on Jerusalem'. pp.95-6

could sell such a proposal to his people. The question was rarely, if ever, asked about Arafat's ability to sell accommodations to the Palestinians. The strategic relationship was governed by a broad interpretation of Kissinger's 'no-surprise rule' under which America had committed to share in advance each of its ideas with Israel, but Barak felt under no compunction to behave correspondingly. The more corrosive effect of America's multiple roles, including that of go-between, was that they hid from the Palestinians Clinton's many attempts to persuade Barak

to accept what until then he had refused – among them the principle of land swaps, Palestinian sovereignty over at least part of East Jerusalem...as well as a significantly reduced area of Israeli annexation. This led Barak to comment to the president that, on matters of substance, the US was much closer to the Palestinians' position than to Israel's. This was only one reflection of a far wider pattern of divergence between Israeli and American positions – yet one that has systematically been ignored by Palestinians and other Arabs alike.¹⁵³

Barak's reported comment about the president being closer to the Palestinian position than to Israel's demolishes much of Malley's argument that America's strategic partnership with Israel impaired its effectiveness as a peace broker. The strength, and at times the emotion, with which the Administration argued with the Israelis in private in support of some accommodation with the Palestinians is a reflection both of its appreciation of various Palestinian positions and of the close and indissoluble relationship between the United States and Israel, which could take the strain without irreparable damage. Arab and Muslim states were well aware of America's cultural and strategic relationship with Israel, and saw this paradoxically as providing a necessary reassurance to Israel in relation to its security concerns were it ever to be persuaded to relinquish occupied territory. They could be in no doubt about America's sustained effort to keep the parties engaged in negotiation, albeit in its self-designated role as broker and guardian of the peace process. Malley's reference to the political partnership is telling. Clinton's predisposition neither to coerce Israel nor to criticise it publicly has been addressed earlier. His willingness to convey an Israeli brief at his final meeting with Assad has also been discussed. At Camp David he again agreed

¹⁵³ Malley and Agha. "Camp David: the tragedy of errors."

to become the conduit, allowing Israel to hide behind the fiction of its proposals being presented as 'American'. The United States's proprietorial attitude toward the whole process since its inception in 1991 denied a significant managerial and intellectual role to other states. There is no telling whether external influences might have helped reshape and advance the peace process. A different constellation of forces might have produced an alternative approach. The relevance of such speculation is questionable.

After the summit, Clinton did an interview on Israeli television in which he praised Barak's courage.¹⁵⁴ He countered leaks that Barak had offered up part of Jerusalem, challenging any thought that Barak may have compromised 'the vital interest of the people of Israel and Jerusalem'. He also said that in the light of the outcome at Camp David he would review the question of moving the United States Embassy from Tel Aviv to Jerusalem and would take a decision on that before the end of the year.¹⁵⁵ In praising Caesar, Clinton effectively buried Arafat.¹⁵⁶ A mythology has developed that Arafat turned down the best offer any Israeli government had ever made. In fact, because of the manner in which ideas were advanced orally through American mediation, possibly later to be amended, there never was an Israeli 'offer', as such, on the table. The myth also conveniently skirts the fact that Arafat had no mandate from third parties to negotiate accommodations that affected their interests.

Post-Camp David negotiations and Clinton's 'plan'

Although disappointed by the failure at Camp David, Clinton remained determined to press for a peace settlement. Palestinian negotiators began talking about the need for the United States to be an honest broker and to put forward compromise proposals of its own, not just re-worked Israeli ideas,¹⁵⁷ while Barak spoke of the need for American proposals if there was to be a final

¹⁵⁴ Clinton, W.J. (2000). Interview with Israeli Television, 27 July 2000. *Public Papers - President Clinton, 2000*, pp.1709-15

¹⁵⁵ Ibid. p.1710

¹⁵⁶ Clinton, W.J. (2000). Remarks on Returning from Camp David, Maryland, and an Exchange with Reporters, 25 July 2000. *Public Papers - President Clinton, 2000*. The press was quick to pick up on his remark that 'the Prime Minister [Barak] moved forward more from his initial position than Chairman Arafat', causing Clinton to say 'I was not condemning Arafat; I was praising Barak'. pp.1674-5

¹⁵⁷ Quandt (2001). *Peace Process*, p.368

agreement. This represented a reversal of the position he had advanced in 1999 when he asked America to restrict its role to that of a facilitator. Clinton agreed to present ideas, but only if the parties resumed talks and made initial headway on their own.¹⁵⁸ Israeli and Palestinian negotiators conducted more than 50 negotiating sessions in August and September, and produced two draft chapters of a permanent peace agreement that were kept secret from all but the leaders. Toward the end of September, there seemed to be a glimmer of hope that the negotiation might get back on track. Barak and Arafat came together for what both sides described as an unusually cordial meeting.¹⁵⁹

The Administration began preparation of an American proposal during August and September.¹⁶⁰ While work was in progress, fear resurfaced that the Palestinians would proceed to declare statehood on 13 September. Clinton made it clear that he was opposed to a unilateral declaration of statehood and threatened that he would review the entire relationship with the Palestinians were they to make one.¹⁶¹ Clinton impressed on others the need to prevent its occurrence. He manned the phones with the intent of having a positive impact,¹⁶² and met with Barak twice, and Arafat and King Abdullah prior to 13 September. He also met Peres on 18 September.

Any hope that Clinton's diplomatic activity and the informal negotiations between the two parties might presage progress towards a final settlement received a major setback when on 28 September 2000, the leader of the opposition Likud Party, Ariel Sharon, visited the Haram al-Sharif/Temple Mount area on which the al-Aqsa Mosque stands. Sharon, who owns a residence in the Old City, probably staged the event to pressure Barak not to compromise on Jerusalem. The provocative nature of such a visit was clearly foreseen by the Israeli government, which had provided a large security escort. Although Sharon stayed clear of Islamic places of worship, Muslims interpreted the visit as a flaunting of Israel's claim to authority over the holy

¹⁵⁸ Ibid. p.368

¹⁵⁹ Ibid. p.369; Sontag, D. (2001). "Quest for Middle East Peace", p.77

¹⁶⁰ Ibid. p.77

¹⁶¹ Clinton, W.J. (2000). Interview with Israeli Television, 27 July 2000. *Public Papers - President Clinton, 2000*, p.1713

¹⁶² Clinton (2000). Remarks on Signing the Department of the Interior and Related Agencies Appropriations Act, 2001, and an Exchange with Reporters, 11 October 2000. *Public Papers - President Clinton, 2000*, p.2432

sites. After noon prayers the next day, large numbers of young Muslims poured out of the mosques and began throwing stones at Jews praying at the Western Wall below the compound. The Jews had gathered in some numbers on the eve of their New Year. The Israeli police fired at the Palestinian crowd, killing several and wounding many others. By 10 October, some 90 Palestinians had been killed and some 2,000 injured in the ensuing conflagration. There were only a handful of Israeli casualties.¹⁶³ On 12 October two Israeli soldiers were seized and murdered at a police station at Ramallah and the body of one was paraded through the streets.¹⁶⁴ The UN Security Council condemned the violence, 'especially the excessive use of force against Palestinians',¹⁶⁵ and again called upon Israel to abide by its legal obligations under the Fourth Geneva Convention. The United States abstained.

The Administration recognised that a truce would have to be arranged if the peace process were again to be rescued. Albright met Barak and Arafat in Paris to try to secure it. Arafat was reluctant to issue a call for an end to the fighting unless Israel agreed to an international inquiry into the origins of the clashes.¹⁶⁶ Clinton, too, interceded in the matter. He telephoned Arafat and Barak on 30 September and 10 October; and persuaded them to accept an invitation from President Mubarak, whose services he had again co-opted, to attend another meeting at Sharm el-Sheikh.¹⁶⁷ The agreement reached there on an early redeployment of Israeli forces, and a lifting of the blockade imposed on the Palestinians, including a reopening of entry ports and crossing points 'in

¹⁶³ Morris, *Righteous Victims*, p.665; Reinhart, T. (2002). *Israel/Palestine: how to end the war of 1948*. Crows Nest NSW, Allen & Unwin. 'More than seven thousand Palestinians were reported injured in the first five weeks of the uprising, many in the head, legs, or knees by carefully aimed shots, and, increasingly, live ammunition'. pp.112-6

¹⁶⁴ On the same day an American destroyer, USS *Cole*, was holed by terrorists in Aden harbour and 17 sailors killed, providing further proof to Americans, if any were needed, of the volatility of the environment in which they were trying to broker a peace.

¹⁶⁵ United Nations (2000). UN Security Council Resolution 1322, 7 October 2000. It was adopted by 14 votes – 0 – 1(United States of America)

¹⁶⁶ Quandt (2001)). *Peace Process*, p.369

¹⁶⁷ Clinton, W.J. (2000). Remarks on the Situation in the Middle East, 14 October 2000. *Public Papers - President Clinton, 2000*. Its purposes were to stop the violence; to restore calm and safety; to agree on a fact-finding mechanism to determine how the violence began and how it might be prevented in the future; and to find a way back to negotiations. p.2464. The summit was attended by President Clinton, President Mubarak, King Abdullah, UN Secretary General Kofi Annan, and Mr Javier Solana, representing the European Union.

order to pacify the Palestinian streets and bring matters back to normal',¹⁶⁸ owed much to Clinton's personal efforts. The United States undertook to work with the Israelis, Palestinians and the UN on establishing the facts of the al-Aqsa incident; and Clinton secured the agreement of Barak and Arafat to consult with the Administration over the next two weeks on how to move forward.¹⁶⁹ During that period he spoke with the two leaders several times a week in an effort to have the violence halted.¹⁷⁰ His interventions, however, had little impact upon the *al-Aqsa intifada*. The president believed that Arafat was in a position to reduce the violence, but conceded that 'nobody has 100 per cent control of any situation'.¹⁷¹ He found it somewhat ironic that the violence should have unfolded in the aftermath of the first serious discussion on the difficult final status issues of the Oslo agreement.¹⁷²

While doing what he could to encourage a cessation of violence, Clinton worked over the proposal that he would submit to the two parties. He announced on 28 November that he had 'put some ideas on the table. They go beyond where we were at Camp David; they meet the fundamental needs that both sides expressed at Camp David. And the Israelis said that they would agree to try to close the remaining gaps within the parameters of the ideas I put forward if the Palestinians will agree'.¹⁷³ The Administration had talked to all the Arab leaders, and assumed that Arafat would have done so too, given the significance of Jerusalem to the Islamic world. Over the following weeks, the Administration sought to convince the Israelis and Palestinians to negotiate within Clinton's parameters. The president was certain that if a peace agreement were possible, it would be within the context of his initiative, and that if it could be achieved at all, it could be resolved within a matter of weeks.

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¹⁶⁸ Clinton, W.J. (2000). Joint Remarks with President Hosni Mubarak of Egypt at the Conclusion of the Middle East Summit in Sharm el-Sheikh, 17 October 2000. *Public Papers - President Clinton, 2000*, p.2501

¹⁶⁹ Ibid. p.2502

¹⁷⁰ Clinton, W.J. (2000). Remarks on Departure for New York City and an Exchange with Reporters, 25 October 2000. *Public Papers - President Clinton, 2000*, p.2617

¹⁷¹ Ibid. pp.2618-9

¹⁷² Clinton, W.J. (2000). Interview with Terence Hunt and Walter M. Mears of the Associated Press, 14 November 2000. *Public Papers - President Clinton, 2000*, p.2881

¹⁷³ Clinton, W.J. (2000). Remarks on the Budget and an Exchange with Reporters, 28 November 2000. *Public Papers - President Clinton, 2000*, p.3205

Circumstances were unlikely to get better: in all probability they would become more difficult.¹⁷⁴

That remark was prescient. By the end of 2000 the three principals were virtually *hors de combat*. Al Gore had won the popular vote for the US presidency, seemingly assuring a Democratic succession, but the Electoral College vote came down to a contest for the Floridian vote that was resolved in the courts, resulting in the swearing-in as president on 20 January 2001 of George Walker Bush, the son of former President Bush. Barak's shaky government was on the verge of collapse and he decided to pre-empt his rivals by forcing new elections for the premiership on 6 February 2001. Arafat's position at the time was also uncertain because he could not gain control over the *al-Aqsa intifada*. Israel's withdrawal of the IDF from Lebanon encouraged some Palestinians to believe that they could eventually force Israel to offer more accommodating terms than those advanced at Camp David.¹⁷⁵ They had seen the Palestinian leadership commit to negotiation with Israel in 1993. Seven years of negotiation had resulted in the recovery of limited territory while daily humiliation persisted. Hezbollah's armed confrontation in southern Lebanon had resulted in the return of occupied territory to the state. Jerome Slater has concluded, however, that 'there is no evidence and no Israeli intelligence consensus on whether Arafat ordered, acquiesced in, or was powerless to control the...wave of Palestinian bombings inside Israel'¹⁷⁶ at the time. 'The most plausible interpretation is that the *al-Aqsa intifada* began as a largely spontaneous eruption, but one over which Arafat and the Palestinian Authority...gained some but by no means complete control'.¹⁷⁷

Clinton was motivated to press on, partly because his place in history would be assured if he were able to effect a peace between Israelis and Palestinians. He brought the negotiators together again at the White House on 23 December where he advanced five parameters for negotiation.¹⁷⁸ They were that:

¹⁷⁴ Ibid. p.3208

¹⁷⁵ Albright (2003). *Madam Secretary*, records a view among Palestinians 'that Hamas was right and a hard line was the only way to liberate Arab territory'. p.483

¹⁷⁶ Slater (2001). "What Went Wrong?", p.191

¹⁷⁷ Ibid. p.191; Quandt (2001). *Peace Process*, p.371

¹⁷⁸ Ross, D.B. (2002). "Yasir Arafat." *Foreign Policy* Iss.131 Jul/Aug 2002. The President presented his proposal orally. Ross ensured that both sides had recorded each word accurately.

- there could be no genuine resolution to the conflict without a sovereign, viable, Palestinian state that accommodated Israel's security requirements and the demographic realities. That suggested Palestinian sovereignty over Gaza and the vast majority of the West Bank, and the incorporation into Israel of settlement blocks with the goal of maximising the number of Jewish settlers in Israel while minimising the area of annexed land. To be viable, Palestine would need to be a geographically contiguous state, and the land annexed into Israeli settlement blocks should include as few Palestinians as possible consistent with the logic of two separate homelands. To make the agreement durable, there would have to be some territorial swaps and other arrangements;
- a solution would have to be found for the Palestinian refugees that allowed them to return to a Palestinian state. All refugees should receive compensation from the international community for their losses and assistance in building new lives. Israel could not be expected to acknowledge an unlimited right of return as that would threaten the very foundation of the State of Israel;
- there will be no peace and no peace agreement unless the Israeli people have lasting security guarantees. These need not come at the expense of Palestinian sovereignty. An international presence could be positioned in Palestine to provide border security along the Jordan Valley and to monitor implementation of a final agreement;
- Jerusalem should be an open and undivided city with assured freedom of access and worship for all. What is Arab should be Palestinian, and what is Jewish should be Israeli; and
- any agreement would have to mark the decision to end the conflict.¹⁷⁹

¹⁷⁹ Clinton, W.J. (2001). Remarks at an Israel Policy Forum Dinner in New York City, 7 January 2001. *Public Papers - President Clinton, 2001*, pp.33-4; Ross, D.B. (2002). "Yasir Arafat", asserts that this proposal 'would have resulted in a Palestinian state, with territory in over 97 per cent of the West Bank, Gaza, and Jerusalem; with Arab East Jerusalem as the capital of that state (including the holy place of the Haram al-Sharif, the Noble Sanctuary); with an international presence in place of the Israeli Defence Force in the Jordan Valley; and with the unlimited right of return for Palestinian refugees to their state but not to Israel'.

Clinton knew that the plan was tough, his parameters non-negotiable. His resolve, fuelled by exasperation, was clear: 'it was time – past time – to put up or shut up'.¹⁸⁰ He had concluded that unless the United States 'narrowed the range of debate, in effect forcing the big compromises up front, there could never be an agreement'.¹⁸¹

After presenting his proposal, Clinton called the leaders of Egypt, Jordan and Saudi Arabia and, later, of Morocco and Tunisia, and asked them to press Arafat to accept the plan. They were initially supportive, but backed off when Arafat told them that there were questions that needed answering.¹⁸²

Clinton's first point was the nearest any American president had come to endorsing a two-state solution. The immediate reaction of the Palestinians to his ideas was that the proposal divided a Palestinian state into three separate cantons connected and divided by Israeli-only roads that jeopardised the state's viability; divided Palestinian Jerusalem into a number of unconnected islands separate from each other and from the rest of Palestine; and obliged Palestinian refugees to surrender their right of return.¹⁸³ As no map had been presented, it was difficult to determine the extent of the territorial exchanges envisaged, but the parameters seemed to suggest that Israel would annex 4 to 6 per cent of the West Bank with the Palestinians being compensated through a land swap of 1 to 3 per cent. A particular concern for the Palestinians was that the United States had adopted the Israeli practice of excluding the areas of East Jerusalem, 'no-man's land' and the Dead Sea from the base figure from which the transfer percentages were calculated.

On the vexed question of the right of return of refugees, Clinton had proposed to Arafat at Camp David that as he knew that all Palestinians in the diaspora could not be resettled in Israel, he should acknowledge this.¹⁸⁴ Israel could not be expected to accept an unrestricted right of return and the most realistic option for refugees would be return to the new state of Palestine, not

¹⁸⁰ Clinton, W.J. (2004). *My Life*, p.937

¹⁸¹ Ibid. p.936

¹⁸² Ross, D.B. (2002). "Yasir Arafat."

¹⁸³ Palestinian Negotiating Team (2001). *Remarks and Questions from the Palestinian Negotiating Team Regarding the United States Proposal*, 1 January 2001. Washington DC, The Brookings Institution. http://www.brookings.edu/dybdcroot/press/appendix/appen_ab.htm - accessed

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¹⁸⁴ Interview with Ambassador Dennis B. Ross at Washington DC on 20 April 2001.

their original homes.¹⁸⁵ This was contrary to a provision of UN General Assembly Resolution 194,¹⁸⁶ whose relevance to final status issues Albright had sought to expunge through her letter of 8 August 1994.¹⁸⁷ It was an issue on which there was also a clear cleavage between the pragmatic accommodations entered into by the PLO/PA, and the refugees who perceived the Oslo accords 'as detrimental to their legal, national, and human rights, reinforcing their sense of dispossession and disenfranchisement'.¹⁸⁸ Ross worked with the Israelis to find a possible formula to cover the refugee question. Even if the Palestinian Authority discouraged Palestinians from exercising any right of return, the Israelis were concerned that acceptance of a 'right' would be open-ended in its time frame and would expose them to claims for compensation. Ross had sought to reframe the issue in terms of a 'right of application'. Again, the Israelis were concerned that it put the onus on them.¹⁸⁹

Barak won his government's acceptance of Clinton's proposals, conditional on Arafat accepting them as the basis for negotiations. Barak was gambling on the hope that an agreement would ensure his re-election on 6 February 2001. Arafat accepted them, with qualifications, as a basis for negotiation after meeting with Clinton on 2 January, following which officials from the two sides met at Taba, without their leaders and without the Americans. The Americans were effectively 'disempowered' during the transition from Clinton's Administration to that of the President-elect.

The Palestinians claim that tangible steps were taken at Taba toward a final agreement, notably on territory, Palestinian sovereignty over all Arab neighbourhoods in Jerusalem, and the evolution of an 'agreed narrative' that

¹⁸⁵ Quandt (2001). *Peace Process*, pp.371-2

¹⁸⁶ United Nations (1948). UN General Assembly Resolution 194 (III), 11 December 1948. Operative para. 11 'Resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible'.

¹⁸⁷ Bowker, R. (2003). *Palestinian Refugees: mythology, identity, and the search for peace*. Boulder CO, Lynne Rienner Publishers argues that the relevance of UNGA Resolution 194 was effectively diluted by the 'the silence of the Madrid process and the Oslo Accords on the principles that would apply to resolving the refugee issue'. p.159

¹⁸⁸ Ibid. p.160

¹⁸⁹ Interview with Ambassador Dennis B. Ross at Washington DC on 20 April 2001.

would defuse the refugee issue and protect the Jewish identity of Israel.¹⁹⁰ Once again progress was halted when violence in the West Bank resulted in the deaths of Israelis. Barak said that the talks would be resumed after the elections, but was not in any position after the polls to honour the pledge. Arafat's position was that he did not want to be forced by artificial deadlines to make fateful decisions. He knew that Clinton would not be around after 19 January to assist with the remaining difficult negotiation before a final agreement could be reached, and may also have been hoping that the incoming president, with his well-known connections to the oil industry, would be more sympathetic to Arab concerns.¹⁹¹ Clinton found himself at the end of his term with both parties reluctantly accepting his general framework, but without time to push for full agreement. The Palestinian negotiator Nabil Shaath summed up the situation: 'If Camp David was too little, Taba was too late'.¹⁹²

Postlude

Neither the critical Israeli-Palestinian relationship nor the wider Arab-Israel dispute had been resolved by the expiry of Clinton's presidency. This brief postlude will take the narrative of America's attempt to effect a settlement of the Palestinian track to 2003 when a new initiative was announced and new complications arose to inhibit its progress.

President George W. Bush had no intention of emulating Clinton and involving himself in the details of a possible resolution of the conflict. Despite his disposition, he could not walk away from an issue of signal importance, or from a process that had been launched by his father. His Administration would persist with policies undertaken by that of President Clinton. It responded to the unfolding *al-Aqsa intifada* conceding that if any accommodation were to be found it would have to be within a two-state solution, taking the first of Clinton's parameters and formalising it as an objective of American policy.¹⁹³ Also, the new Bush Administration signalled its preparedness to work through the existing framework; and recognised the continuing importance of an

¹⁹⁰ Sontag (2001). "Quest for Middle East Peace", p.84

¹⁹¹ Quandt (2001). *Peace Process*, p.372

¹⁹² Sontag (2001). "Quest for Middle East Peace." Cited at p.84

¹⁹³ Powell, C. L. (2001). *United States Position on Terrorists and Peace in the Middle East*, 19 November 2001, Washington DC, U.S. Department of State.

<http://www.state.gov/secretary/rm/2001/index.cfm> – accessed 21 November 2001

expansion of economic opportunity in the region and the need to find regional solutions to security challenges. Like its predecessor, it insisted that the Palestinians must accept that their goals could only be achieved through negotiation, while going further than its predecessor and demanding of the Israelis that 'settlement activity must stop'.¹⁹⁴

Militants from a newly constituted Al-Aqsa Martyrs Brigade, an agency of Arafat's Fatah movement, had joined Hamas and Islamic Jihad insurgents in the *al-Aqsa intifada* after 2000. Each provocation by Palestinian insurgents and suicide bombers brought harsh retaliation by the Israelis, who targeted activist leaders and destroyed the homes of the families of the bombers. Attempts were made by Bush's Administration to negotiate a cease-fire and to establish calm as a prelude to a possible resumption of the peace process. Former US Senator George Mitchell headed the commission mandated at the Sharm el-Sheikh summit in October 2000 to investigate the cause of the *intifada*. The commission postulated that the greatest danger was that the culture of peace, nurtured over the previous decade, was being shattered; and suggested a list of confidence-building measures, most of which had already been the subject of agreements between Israel and the Palestinians.¹⁹⁵ The commission's efforts failed to take root. The Director of the CIA, George Tenet, was tasked in June 2001 to draft a cease-fire plan, which sought an agreed schedule for the complete redeployment of IDF forces to positions held before 28 September 2000,¹⁹⁶ but violence continued on both sides. It was only after the terrorist attacks on American soil of 11 September 2001, when Al-Qaeda included the Palestinian cause among its rhetoric, that the Bush Administration began articulating its vision of an Israeli-Palestinian settlement. Secretary of State Colin Powell announced the outline on 19 November, which included the creation of a viable Palestinian state. The Palestinians were challenged to make 'a 100 percent effort to end violence and to end terror',¹⁹⁷ and to 'prepare their people for the hard compromises ahead'.

¹⁹⁴ Ibid.

¹⁹⁵ Palestine Facts (2003). *Mitchell Commission*.

http://www.palestinefacts.org/pf_1991to_now_alaqsa_mitchell.php - accessed 5 May 2003

¹⁹⁶ Yale Law School (2003). *The Tenet Plan: Israeli-Palestinian ceasefire and security plan*, 13 June 2001. Yale Law School, The Avalon Project.

<http://www.yale.edu/lawweb/avalon/mideast/mid023.htm> - accessed 5 May 2003

¹⁹⁷ Powell. *United States Position on Terrorists*.

Israel was called upon to stop building settlements in the West Bank.¹⁹⁸ A retired Marine Corps General, Anthony Zinni, was appointed to try to bring about a cessation of hostilities, based on the Tenet plan. Arafat and Ariel Sharon, who had defeated Barak at the polls in February 2001, confirmed to Powell their preparedness to work through senior-level committees on 'the negotiation and implementation of a cease-fire and what follows from that'.¹⁹⁹ Israelis read a sequential argument into Powell's statement: negotiations could begin after Palestinian violence had ceased.

The Administration was unable to persuade the parties to halt the violence. Any doubt whether the Palestinian Authority was encouraging Palestinian terrorism had to be set aside in January 2002 when a Palestinian ship, carrying arms supplies from Iran, was intercepted by the Israeli authorities. Arafat denied knowledge of the operation.²⁰⁰ While it is conceivable that the order may have been commissioned without his knowledge, his highly centralised management style and control of the purse strings leaves little doubt about the question of his knowledge. The Administration was dealing with two protagonists, in Arafat and Sharon, with a history of personal enmity. The Oslo peace process crumbled as the combatants reduced the contest between Israelis and the Palestinians to the level of a personal duel in which the IDF was used to demonstrate Arafat's 'irrelevance'. Bush also contributed to the process's demise. He sidelined Arafat by refusing to meet him, and later called for his removal from the Palestinian leadership.

Having failed to determine the situation on the ground through its own efforts, the Bush Administration turned to the international community for help. The Administration keenly embraced a Saudi Arabian promise of 'full normalisation' of relations with Israel by all Arab countries if Israel withdrew completely from the West Bank and Gaza.²⁰¹ Despite its endorsement by an

¹⁹⁸ Ibid. He said: 'Israel must be willing to end its occupation, consistent with the principles embodied in Security Council Resolutions 242 and 338, and accept a viable Palestinian State in which Palestinians can determine their own future on their own land and live in dignity and security'.

¹⁹⁹ Ibid.

²⁰⁰ Reuters (2002). "Arafat sends letter to Powell over weapons ship." *The New York Times on the Web*, 10 February 2002.

²⁰¹ Sanger, D.E. and S. Schmemmann (2002). "Bush welcomes Saudi proposal on Mideast peace." *The New York Times on the Web*, 27 February 2002.

Arab League summit, the initiative was not to become a circuit-breaker. Israelis were confused by the move, which offered the attraction of Arab recognition of the State of Israel within the 4 June 1967 borders in exchange for Israel's withdrawal from all territory occupied after that date. The price was unacceptable to the Israeli right, and Sharon temporised.²⁰² Later in 2002, the United States engaged with Russia, the European Union and the United Nations in crafting 'a performance-based and goal-driven roadmap, with clear phases, timelines, target dates, and benchmarks',²⁰³ aimed at producing a two-state solution by 2005. The removal of the Iraqi regime of Saddam Hussain by a United States-led coalition expunged from the Middle East the one actor that had launched a missile strike against Israel and that was in a position to threaten Israel's security. The changed geopolitical circumstances, engineered principally by the United States, might ameliorate Israeli security concerns and offer prospect for some accommodation with the Palestinians. It would improve the prospect of the Administration exercising leverage over Israel should the president chose to employ such means, although the dominant neo-conservative element within his Administration has a pro-Israel agenda. Before any leverage could be employed, Sharon had skilfully conflated the Palestinian insurgency with Bush's 'war on terrorism', making it difficult for the Americans to distinguish between the two. The president will no doubt have in mind that getting tough with Israel did not help his father when seeking a second term and that any attempt to exert pressure on Israel might preferably be deferred until after the November 2004 election.

The influence of Clinton's parameters has extended beyond the Bush Administration. An unofficial Israeli and Palestinian 'peace group' that included former ministers of the Palestinian Authority and Israel's Labor government and retired high-ranking officers of the IDF, as well as current members of the two legislatures, drafted a peace agreement in Geneva in

²⁰² Sid-Ahmed, M. (2002). "Swapping normalization for withdrawal." *Al-Ahram Weekly Online*, 7-13 March 2002. <http://weekly.ahram.org.eg/2002/576/op3.htm> - accessed 29 December 2003

²⁰³ US Department of State (2003). *A Performance-based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict*. <http://www.state.gov/r/pa/prs/2003/20062.htm> - accessed 1 May 2003

October 2003,²⁰⁴ and comparable discussions are under way elsewhere.²⁰⁵ The Geneva 'accord' addresses such issues as the border between the two sovereign states, Israel's responsibility for resettling Israelis residing in Palestinian sovereign territory, security, compensation to refugees for refugeehood and loss of property, remuneration to states that have hosted refugees, recognition of Israeli and Palestinian sovereignty over different parts of Jerusalem, and transfer of the Haram al-Sharif/Temple Mount compound to Palestinian sovereignty. Neither Sharon nor Arafat has endorsed the draft, but the United States has paid attention to it. Its crafting shows that a negotiated peace agreement that addresses contentious issues is possible.

Conclusion

It became evident within months of Clinton entering his second term that the Oslo process was stalled, if not in danger. Clinton's disposition, evident since 1993, to encourage the Israelis and Palestinians to work through their differences themselves became a recipe for failure as the two parties contributed to an erosion of the letter and spirit of the Oslo accords. The United States would have to become proactive if its peace settlement objective were to be realised. It exercised its power in a number of ways.

Its overriding concern was that the Oslo process be protected and sustained because the process, despite its shortcomings, offered the best prospect for achievement of a settlement of the core 'Palestinian' element of the Arab-Israel dispute. Its ideational power was invested heavily in preventing a collapse of the process. In doing so, a higher premium was attached to maintenance of the process than to normative behaviour. This was particularly evident in the Administration's handling of Israel's settlement activity. Clinton objected to Israel's policy and urged Netanyahu to desist, but the United States declined either to join other states in seeking to bring Israel to account for its breach of the Fourth Geneva Convention or unilaterally to impose sanctions. He did not want to provide Netanyahu with an excuse to

²⁰⁴ Foundation for Middle East Peace (2003). *The Geneva Accord*.

http://www.fmep.org/documents/Geneva_Accord.html - accessed 3 November 2003

²⁰⁵ *The New York Times on the Web*, 31 October 2003. "New Tries for Mideast Peace."

<http://www.nytimes.com/2003/10/31/opinion/31FRI1.html> - accessed 31 October 2003; statement by Hanan Ashrawi on 7.30 Report, ABC television, 4 November 2003

walk away from commitments entered into under the Oslo accords by the previous Israeli government.

Clinton's concern to achieve outcomes within the Oslo context at the expense of principle was evident also in relation to an agreement of January 1997 on the redeployment of Israeli forces from Hebron. Implementation of an agreement endorsed by the Labor government on IDF redeployment had been deferred. Clinton secured Netanyahu's concurrence not to renegotiate agreements by which both sides were bound,²⁰⁶ but the premier did not feel obligated to honour the previous Israeli government's undertaking. The Administration then participated in the crafting of a new agreement whose terms were less-favourable for the Palestinians than those of the original compact. In records that accompanied the new agreement, the Administration confirmed some of Netanyahu's precepts, and reinterpreted the terms of UN Security Council Resolution 242 on which the Madrid conference and Oslo accords were premised.

The president chose to offer inducements to Israel rather than to threaten sanctions, perhaps influenced by domestic considerations. He was aware of congressional opposition to his predecessor's coercion through deferral of Israel's request for loan guarantees; and had a particular need to assure congressional support in the event of his impeachment, and to assist his wife's Senate candidacy. He sent American specialists to the region to participate in antiterrorism arrangements among Israeli, Palestinian and regional governments; authorised an antiterrorism programme for Israel, supplemented by intelligence-sharing with the CIA; announced the provision of fighter aircraft to Israel; and concluded a memorandum of understanding addressing the challenges of weapons of mass destruction, counter-proliferation and theatre missile defence and Israel's acquisition of an Arrow anti-missile battery. The Administration was conscious of a gradual cooling of its relations with Israel during Netanyahu's premiership and of a concomitant warming of its relations with the Palestinian Authority, and may have seen value in reassuring both the people of Israel and their supporters within the United States of America's enduring commitment. American inducements

²⁰⁶ p.210 n14

may have encouraged Netanyahu to keep the dialogue open, but were insufficient to dissuade him from building settlements. It cannot be shown whether he would have been susceptible to American coercion because it was never tried.

A consistent feature of Clinton's approach was a somewhat naive belief that resolution of differences was possible once protagonists engaged in face-to-face negotiation. He employed this many times in his mediation between Israel and, respectively, the Syrians and Palestinians. He brought the Israelis and Palestinians together at the Wye River Plantation in 1998, after a year's estrangement; and again at Camp David in 2000. Inducements were offered to both parties. In addition to negotiating the transfer of more land to the Palestinians, albeit for the price of the Har Homa settlement, a significant element of the package agreed at Wye was the Administration's commitment to become involved in a high level US-Israel-Palestinian committee to restrain terrorist activity in the region, marking a substantial departure from Clinton's original hands-off approach, and demonstrating flexibility in devising measures to overcome unexpected impediments to the peace process. Clinton also secured agreement that the Palestine National Council would formally reaffirm nullification of the provisions of the Palestine National Charter calling for the destruction of Israel. Albright backed up the outcome of the Wye River meeting, convening a conference of major donors who joined the United States in pledging additional economic assistance to the West Bank and Gaza.

America's positive sanctions were not enough to assure Israel's implementation of the Wye River agreement. The agreement exposed the schism within Netanyahu's government between those who wanted a peace settlement and those who wanted the West Bank incorporated into an *Eretz Israel*. The prime minister may well have thought that Clinton's domestic difficulties were such that the president's authority would be irretrievably damaged and that Israel need not, therefore, rush to action. He suspended action on the Wye agreement in December 1998, and sought a renewed mandate at the polls.

Israel's return to a Labor-led government in May 1999 offered prospect of movement toward the peace objective, but the incoming premier was also to face difficulty in holding together a coalition prepared to transfer land and

powers to the Palestinian Authority in exchange for peace. Clinton was receptive to Barak's argument that his difficulties would be eased if a summit were to be held at which all concessions and all rewards could be wrapped up in one comprehensive package to be presented to a national referendum. The president convened a summit at Camp David in July 2000. It was timed with an eye to the United States's electoral calendar rather than to the preparedness of the two parties. The negotiation was largely determined by what Barak thought the Palestinians might accept. Clinton threw himself into it, permitting the office of President and the authority of the United States to be used as instruments of Israeli diplomacy without knowing whether Israel's proposals represented a negotiating position or its bottom line. In so doing, he placed himself in an untenable position as Barak shifted his ground. Although Clinton expostulated against the prime minister's tactics, the fact that he should have permitted the world's superpower to be subjugated in this way can only be explained in terms of an expectation that Arafat could be persuaded to accept an Israel-designed peace settlement, whatever its shape may be, and the attraction of a legacy that might include Clinton's contribution to resolving the Israel-Palestinian dispute.

Significantly, the Administration failed to advance proposals that addressed the parties' bottom lines. Inducements dangled before the Palestinians in order to secure an agreement, notably in relation to the vexed questions of Palestinian statehood and the future status of Jerusalem, were rejected because it was not within Arafat's power to exchange the site of a holy Islamic shrine for any benefit that might accrue to the Palestinian people. This sterile exchange sealed the fate of the summit, and brought home to the Administration and others that an American proposal would be required if a peace settlement were to be achieved.

Clinton presented his own outline for a settlement in December 2000, endorsing a two-state solution. Barak accepted it as a basis for negotiation, and Arafat was to follow suit after being persuaded to do so by Clinton. But the president, having launched his initiative within his last month in office, was in no position to influence the direction of the ensuing negotiation.

President Clinton had made the search for a comprehensive settlement of the Arab-Israel dispute a major objective of his two-term presidency. He

was emotionally committed to the objective and devoted considerable personal effort toward its accomplishment. For much of his presidency, he was convinced of the sincerity of his Israeli partners (although Netanyahu's contribution was a qualified one) in pursuing a peaceful settlement with the Palestinians. There were limits as to how far all four Israeli prime ministers during that period would go toward accommodating fundamental Palestinian demands. There were some among the Israelis and Palestinians who were opposed to the Oslo process in principle and sought to frustrate its realisation. The extremists' actions, and the reprisals they provoked, contributed to an erosion of confidence among Palestinians that the process would lead to a betterment of their living conditions. As the standard of living of Palestinians fell, as their sense of dispossession rose due to continued settlement activity, and as they appealed to the international community for understanding, Clinton and his Administration devoted energy to damage limitation. The United States's instruments were used effectively to protect the negotiation process, marshal international condemnation of terrorism, encourage donors to contribute development assistance to the Palestinians, create conditions for its participation in tripartite anti-terrorist arrangements with Israel and the Palestinian Authority, and to bring the parties back to the negotiating table. In doing so, the Administration's address perforce focussed on the process rather than its projected outcome. Personal disinclination and political constraints inhibited Clinton's employment of coercive or punitive instruments to enhance the prospect of realising his objective. By the time that he was persuaded to employ America's ideational power to propose the 'non-negotiable' shape of an outcome, it was too late in his presidency for him to be able to attain his goal.

Chapter 8

Vision and reality: a *post hoc* evaluation

During the 1990s the United States employed some of the instruments at its disposal to produce a comprehensive and peaceful settlement of the Arab-Israel dispute. The *post hoc* evaluation undertaken in this chapter will focus on the objective, strategy and efficacy of the measures used. The evaluation will address the three elements in Holsti's definition of power.¹ The methodology will start with an analysis of the United States's objective and the relevance of the negotiating structure it devised in order to achieve it. It will then note any constraints upon the ability of the United States to attain its objective. This will be followed by an analysis of the efficacy with which the Clinton Administration employed the instruments of statecraft discussed in chapter 1. The president's disinclination to use some of them will be addressed. That analysis will include an appreciation of how the Administration addressed unintended consequences where they arose.

The evaluation is a preparatory contribution to the discussion in the Conclusion to this thesis whether the case study reveals limits to America's power, and whether any such limits might be more generally applicable.

The objective

The salience of the Arab-Israel dispute in relation to America's Middle Eastern interests was established in chapter 2. The first President Bush was motivated to seek a settlement of the dispute. He sought 'not simply the end of the state of war in the Middle East', but real peace, by which he meant 'treaties, security, diplomatic relations, trade, investment, cultural exchange, even tourism', and a condition 'based on fairness'.² His successor, President Clinton, also employed visionary language, insisting that 'peace must be comprehensive', encouraging the wider Arab and Islamic worlds to normalise

¹ Holsti, K. J. *International Politics*. In his view power comprises the acts by which one actor influences another actor; the capabilities utilised for that purpose; and the responses solicited. p.142

² Bush, G.H.W. (1991). Remarks at the Opening Session of the Middle East Peace Conference in Madrid, Spain, 30 October 1991. *Public Papers - President Bush, 1991*, pp.1362-3

their relations with Israel.³ An objective common to the two Administrations was that a Middle East peace should mean a good deal more than simply the absence of hostilities. Neither Jordan nor Syria was engaged in hostilities with Israel at the time, yet neither was at peace with its neighbour. The peace that was sought was one that would legitimate Israel's place in the region and facilitate the development of friendly relations with it.

The desirability of achieving such a peace is incontestable. What is more problematic are questions about how it might be attained, and its terms. As the architect of the process, the Bush Administration focussed on the first question. It eschewed the second: Bush said that the United States had not gone to Madrid 'to impose a settlement'.⁴ Clinton, too, was predisposed in the earlier years of the negotiation to avoid articulating the detail of any settlement. The negotiating process was dynamic and the Clinton Administration's eight-year contribution cannot be assessed solely in terms of a pre-embarkation statement on how peace might be achieved. A *post hoc* evaluation of the effectiveness of American power must necessarily recognise that the United States's contribution extended to both the means of how peace might be attained, and to the terms of any settlement. As a broad generalisation, Bush was accountable for the former, Clinton for the latter.

The negotiation structure

The Bush Administration designed a structure capable of facilitating a comprehensive settlement. The structure could not, of itself, assure a satisfactory outcome. Tensions emerged during the course of the bilateral negotiations between Israel and respectively the Palestinians and Syrians, leading to the suspension of negotiations. The United States had to persuade the parties to return to the table. When the process was threatened by international condemnation of Israel's settlements practices, the Clinton Administration moved to protect it. It did so because there was risk of the process unravelling. Clinton accorded absolute priority to protection of the Madrid process, which in its early stages had produced positive results

³ Clinton, W.J. (1994). Teleconference Remarks with B'nai B'rith, 24 August 1994. *Public Papers - President Clinton, 1994*, p.1497

⁴ Bush, G.H.W. (1991). The President's News Conference with President Mikhail Gorbachev of the Soviet Union, 29 October 1991. *Public Papers - President Bush, 1991*, p.1356

between Israel and respectively the Palestinians and Jordan, and was prepared to employ the US veto in the UN Security Council for this purpose.

The terms of any comprehensive settlement

The United States's objective was both overly ambitious and imprecisely defined. Bush launched it with a broad statement of objectives. A precise statement of objectives would have had to address the particular concerns of five different entities. This may have seemed prescriptive. The Arab parties would probably not have entered into negotiation if they had thought that America would be pressing a pre-determined outcome. Nor would Yitzhak Shamir have been receptive to an American prescription. It was ambitious in that a comprehensive settlement would involve, at a minimum, a number of different bilateral treaties, and probably also international agreements covering regional or sub-regional issues. Initial exploration of matters that might need to be encompassed by regional agreements was broached within the multilateral working groups, but none advanced even to the pre-negotiation stage.

Clinton implicitly endorsed the Bush Administration's undertaking to accept whatever the parties' leaders decided would be in their national interest.⁵ This assumed that the parties would negotiate bilateral accommodations. As the Arab parties' relationships with Israel were the focal point of the negotiation, the comparative strength of Israel (attributable in part to decades of American support) in relation to that of its neighbours was a factor. Israel had secured military victories over its neighbours in 1967, 1973 and 1982; it enjoyed a strategic partnership with the United States; and it was generally held to be the only Middle Eastern state with a nuclear capability. Its military deployments were on territory occupied through conquest. Central to the negotiation was the desire of Lebanon and Syria to regain occupied territory, and of the Palestinians to achieve independence from Israeli

⁵ Baker said of the catalyst role: 'If the best way for us to do that is to not be involved, that's what we want. If the best way for us and our co-sponsor, the Soviet Union, to do that is to be in the room and intimately involved, then that's what we would like. However, the ground rules are that the parties will negotiate bilaterally without anybody else in the room unless the parties themselves invite others in the room...[W]e would be available, if wanted'. Baker (1991). "U.S. Secretary of State James Baker's Press Conference, Madrid, 3 November 1991." *Journal of Palestine Studies* Vol.XXI No.2 (Winter 1992) p.149

occupation on their own land. Israel's predominance was such that any accommodation could only be on the basis of what Israel was prepared to concede. The Clinton Administration could argue that regional peace was not a zero sum game and try to demonstrate its advantages through regional cooperation, but that could not alter the imbalance in the parties' negotiating strengths. Contrary to the Administration's intent, the prospect of regional economic cooperation aroused Arab suspicion that Israel would become the principal political and economic beneficiary of any comprehensive settlement.

Imprecision about objectives and strategies produced an apparent dissimulation in America's stance early in the negotiation: the post-Cold War confidence shown in bringing the parties together at Madrid was not matched by an evident intent to propose a *pax americana*. The Clinton Administration was reasonably confident that whatever accommodations Israel concluded would be acceptable to the United States. A *pax judaica*, concluded within the framework of the Madrid conference, would serve America's interests. It was only when the negotiation process stalled that the Clinton Administration felt obliged to intervene. It did so principally to advance the process, not to further the interests of individual parties, although that was a collateral outcome of its action. The Administration brought the parties back to the negotiating table too many times for doubt to be entertained about its commitment to the process.

In reviewing America's foreign policy objective, it can not be asserted that some course of action would have been more productive than the one pursued by the Bush and Clinton Administrations to 2001. Possible alternative directions at particular points have been postulated in earlier chapters. They were not tried, and there is no evidence that they were among the options considered by Administrations - Clinton's in particular - when determining America's foreign policy.

Constraints

There were a number of constraints on the ability of the Clinton Administration to effect a negotiated comprehensive settlement of the Arab-Israel dispute. Domestic constraints and constraints external to the United States were apparent. The domestic constraints were of different kinds,

affecting the thinking of the Administration in various ways. They were either intrinsic to the president's approach, or domestic political factors that he felt necessary to take into account. This section will discuss the constraints under which the Clinton Administration operated.

Clinton's predisposition towards Israel

The principal domestic constraint, intrinsic to the president, which set the tone for his Administration's approach to the issue, was Clinton's attachment to Israel. Any discussion of the employment of American power during his Administration must be within that context. His attachment was emotional, as well as a factor that earned him the support of many members of the pro-Israel lobby. It is not always easy to distinguish the political element from the personal in his decisions. He and his wife had visited the Holy Land in 1981 in the company of his pastor.⁶ The pastor had warned him that God would not forgive him if he ever forgot Israel,⁷ an anecdote of sufficient significance to the president to warrant its retelling. Clinton had determined at the outset of his presidency to protect the peace process, and the Administration 'was *not* about to do anything to cause an open crisis with Israel'.⁸ Partly because of his policies, Clinton was presented during the 1996 presidential campaign as the best friend Israel had ever had.

It was one thing for him to pledge never publicly to criticise Israel, another to decline to uphold the provisions of an international agreement formulated with American input. Why did the Administration accord higher priority to backing Israel in the face of clear evidence of its breach of the provisions of the Fourth Geneva Convention, than to upholding the Convention's normative value? Israel denies that the West Bank is occupied territory, and consequently the applicability of the Convention to it, because Jordan relinquished its claim to the West Bank in 1988. There is, however, a responsible body of opinion, including UN Security Council Resolutions 242 and 338 on which the Madrid conference was based, that contests the Israeli

⁶ The visit took place between Clinton's two periods as Governor of Arkansas. Clinton, H.R. *Living History*, p.488

⁷ Clinton, W.J. (1998). Remarks at a Dinner Hosted by Prime Minister Binyamin Netanyahu of Israel in Jerusalem, 13 December 1998. *Public Papers - President Clinton, 1998*, p.2172

⁸ Cobban (1999). *Israeli-Syrian Peace Talks*, cites her interview with the head of Policy Planning at the State Department. Original emphasis. p.47

position. This example is illustrative of choices that governments have to make when objectives collide. A frequently used diplomatic procedure is to reaffirm support for the principle in question, while refraining from naming any recalcitrant party. Clinton chose not to offer even this back-handed public rebuke. He may have feared that American criticism of Israel in relation to the building of Israeli settlements in the occupied territories would have given Netanyahu an excuse to jettison the peace process.

There was a number of occasions during Clinton's presidency when chastisement of Israel, or coercion, might have pressured Israel into addressing critical issues. Such measures were seemingly proscribed by the president: America's power was constrained by their inoperability. A convincing circumstantial case can be made for Clinton's reluctance to place his attachment to Israel under stain from the fact that they were not tried.

Clinton, the politician

Another intrinsic constraint was the president's propensity to accept a 'political' accommodation rather than to uphold a principle. His response to Israel's settlement policy also provides an example of this. While opposed to the Har Homa project, Clinton was prepared to use Netanyahu's need to assure his position within his own cabinet as a means of extracting his agreement to the transfer of land to the Palestinians. In return for Netanyahu's agreement, the president acquiesced in the project.⁹

America's pro-Israel lobby

Extrinsic to the president was the need to retain the support of America's pro-Israel lobby. Both Bush and Clinton were well aware that their Middle East policies were under scrutiny as they sought second terms. American Jewry supports both Democrats and Republicans, but favours the former. Clinton drew heavily upon Jewish electoral support in 1992, and again in 1996.¹⁰ Having secured a second term, his concern to husband their vote

⁹ Clinton said: 'We weren't going to stop him on Har Homa now, so I thought we should get what we could for it'. Ross, D.B. (2004). *The Missing Peace*, p.467

¹⁰ Internet Public Library (2003). *Presidents of the United States - William Jefferson Clinton*. In the presidential election of 1996 Clinton received a greater popular vote and an increased number of electoral college votes than in 1992. <http://www.ipl.org/div/potus/wjclinton.html> - accessed 26 June 2003

extended to the electoral prospects of his Vice-President for the Democratic succession in 2000, and to his wife's candidacy as a prospective senator for the State of New York.

The pro-Israel lobby, which derives from a congruence of support for Israel among America's Jewish community and that of fundamentalist Christianity, backed by defence industry interests, has been described in chapter 2. No Administration can afford to be insensitive to the lobby, which uses America's democratic processes very effectively. It is easier, however, to exaggerate than to discount its influence. The lobby is not monolithic: it is open to the competing claims of forces in support of, or opposition to, Israeli governments. Rabin had championed the creation of the Israel Policy Forum in an attempt to offset the influence of AIPAC. In the final stages of the negotiation of 'Oslo II', Israel's Labor government had to exercise such influence as it could muster within the American lobby to counter a campaign launched by its opposition to discourage the provision of US assistance for Palestinian economic and social development. The Administration had to navigate carefully between these shoals, on that occasion relying on the pilotage of the governing party in Israel, whose commitment to the peace process had been proven.

Congressional constraints

The most formal extrinsic domestic constraints upon Clinton and his Administration were those imposed by the legislature. The Administration failed domestically to sell an Arab-Israel peace as an American strategic interest,¹¹ with implications for its relations with the Congress. Clinton's inability to articulate a clear foreign policy objective, together with a decline in public interest in international affairs, left the field open to media-wise special interest groups, like AIPAC.¹² After the mid-term election of 1994, he faced a Republican-dominated Congress for the remainder of his presidency. His foreign policy had to be conducted within the context of an antagonistic

¹¹ Haass, R.N. and S. Telhami (1999). *The Israel-Syria Talks: an assessment*. Washington DC, The Brookings Institution. <http://www.brook.edu/comm/transcripts/19991217.htm> - accessed 25 September 2003

¹² Haass, R.N. (1997). "Fatal distraction: Bill Clinton's foreign policy." *Foreign Policy* Iss.108 Fall 1997. p.116

opposition, which held 'a deep dislike and distrust for President Clinton',¹³ as one Republican senator said; and the House Majority Leader of the period, an evangelical Christian, was proud to tell a Knesset audience that he was 'an Israeli at heart'.¹⁴

Yet Clinton was able to form temporary coalitions with centrist Democrats and Republicans to secure support for a number of his foreign policy objectives¹⁵ and could have tried to forge a centrist coalition to strengthen his presentation of an American position on the terms of any peace settlement. His record shows that it was possible to govern during a period of divided government:¹⁶ the second session of the 104th Congress (1994-96) was one of the most productive on record.¹⁷ Clinton was able several times to secure congressional authority to extend inducements to Israel. Might not the inducements have been accompanied by forceful argument in favour of a preferred course of action? Might not Clinton have approached the Congress about assistance to Israel to overcome its water shortage, thus addressing one of the concerns in relation to a settlement with Syria; or for funds to build housing settlements *within* Israel, thus attempting to deflect the Israeli government away from further demographic change in the West Bank? Such initiatives ought to have been possible without provoking a confrontation with

¹³ Mitchell, A. (2000). "News Analysis: Bush and the G.O.P. Congress." *The New York Times on the Web*, 19 May 2000.

¹⁴ Bennet, J. (2003). "DeLay says Palestinians bear burden for achieving peace." *The New York Times on the Web*, 30 July 2003. Tom DeLay has been a member of the House of Representatives in the Republican interest since 1984, and became House Majority Leader in 1994. He is described by Bennet as an evangelical Christian and a leader of the Christian Zionist movement in the Congress.

¹⁵ Haass. "Fatal distraction." The tactic was used to secure majority support for the North American Free Trade Agreement, the World Trade Organisation and the Chemical Weapons Convention. Haass argues that Clinton should make greater use of this tactic, but cautions that without 'a guarantee of steadfast support from the White House, centrist Democrats and Republicans have little motivation to break ranks with the ideological extremes of their respective parties'. p.116

¹⁶ Mann, T.E. (2001). *Assessing Bill Clinton's Legacy: how will history remember him?* Washington DC, The Brookings Institution. He commented that Clinton 'adapted a style of governance that was tactical, that was defensive, that made heavy use of executive orders, that involved a good deal of a sort of campaigning, that actually allowed him and his party to pursue a number of objectives'. <http://www.brook.edu/comm/transcripts/20010109a.htm> - accessed 11 August 2003

¹⁷ Murphy, J.M. (2001). Book Review - Jones, C.O.: Clinton & Congress 1993-1996: risk, restoration, and reelection. *Rhetoric & Public Affairs* Vol.4 No.1. http://muse.jhu.edu/journals/rhetoric_and_public_affairs/v004/4.1murphy.html - accessed 15 August 2003

the Congress, and would have afforded leverage in his dealings with the Israelis. It is hard to know why he did not explore them.

The Congress had adopted, over a number of years, instruments favouring Israel and critical of its Arab neighbours that could have constrained the Administration in the search for a Middle East settlement. US aid to Jordan, the Palestinians and Syria was either proscribed or restricted, limiting an Administration's ability to garner support through positive sanctions. The Bush Administration recognised that Jordan's participation was essential to any comprehensive settlement and, against congressional opposition, provided food aid to that country as part of its process of re-establishing friendly relations with it after the 1991 Gulf War. The incorporation of Jordan into the negotiation framework was to be rewarded by the conclusion of a peace treaty between Israel and Jordan. Some American aid was channelled to the Palestinian Authority, although, respecting congressional constraints, project implementation was largely through American non-governmental agencies. The Clinton Administration largely circumvented this constraint by mobilising international assistance for the Palestinians, and the Europeans became the principal donor to the Authority.

Some congressional requirements that might have seemed proscriptive proved capable of being employed by the Clinton Administration to strengthen its leverage, especially in relation to the Palestinians. The Administration used a legislative prohibition on dealing with the PLO to insist on the PLO abjuring terrorism and excising denial of Israel's right to exist from the Palestine National Charter as preconditions of its establishing normal relations. After the passage of the Middle East Peace Facilitation Act, it used regular congressional reviews of Palestinian policies to encourage Arafat to conform to congressional prescriptions.

It could not always expect the dice to fall so fortuitously. A casualty was the proposition that America might station a military observer force on the Golan Heights should Israel and Syria agree on the terms of a peace settlement and seek such help. A ruthless campaign within the Congress brought any thought of an American presence on the Golan Heights to an end.

There was one significant decision of the Congress that Clinton felt able to set aside until a moment he judged appropriate. The Congress favoured

the relocation of the Embassy of the United States from Tel Aviv to Jerusalem. Land had been allocated in Jerusalem for that purpose. Hillary Clinton supported the congressional view on the hustings, leading her husband to distance himself from her position. He cited legislation that permitted members of the Congress, and those seeking election to it, to express their own opinions without constraining the authority of the executive branch.¹⁸

External constraints – terrorism

The principal external constraint to confront the Clinton Administration was terrorist activity against Israel conducted by individuals and groups opposed to the peace process. Israelis, Lebanese and Palestinians, in varying measure, were either determined to derail the process or accorded higher priority to their immediate interests than to the prospect offered at some remove by a negotiated settlement. A need to prevent the peace process from foundering under terrorism became a major preoccupation of the Administration. It is discussed in greater detail in the section below on unintended consequences.

International differences

There were two other external constraints upon the Clinton Administration. The co-optation of European assistance was not without complication for the United States because the Europeans viewed the Arab-Israel dispute differently from the Americans. The Europeans had taken the initiative in commissioning the World Bank to prepare an estimate of the needs of the Palestinian Authority; and they were interested in the prospect offered for regional economic development through the multilateral working group that they chaired. The Clinton Administration's convening of an international pledging conference predicated on the World Bank's estimates, without the Europeans' co-sponsorship, and its attempt to exclude the occupied territories from consideration within the working group chaired by the European Union on regional economic development, caused the Europeans to feel undervalued.

The Administration's desire to engage the Europeans, while retaining

¹⁸ Clinton, W.J. (1999). Joint Statement by President Clinton and Prime Minister Ehud Barak, 19 July 1999. *Public Papers - President Clinton, 1999*, pp 1410-1

the reins of the peace process in its own hands, reflected a long held view by America and Israel that the intrusion of other states could be unhelpful. Other states had other agendas. The United States and Israel had consistently opposed calls for a UN conference to address a Middle East settlement. The international conference at Madrid in 1991 was as far as they were prepared to go in accommodating 'internationalisation' of the issue. They had a propriety interest in keeping the Madrid process under American control. Even so, Israel was initially a reluctant participant, fearing a possible opening for the anti-Israel agenda prevalent within the UN.

The other international constraint is related in that it involves the attitudes of other states to the Arab-Israel dispute. Britain and France, while enjoying good relations with Israel, were more disposed than was the United States to judge Israel on its practices, and comparatively more sensitive to Arab positions than was America.¹⁹ Together with the other Western members of the UN Security Council, they co-sponsored a draft resolution critical of Israel's decision to build a settlement at Har Homa. In their view, settlements altered the facts on the ground and pre-empted the final status negotiations. Although the United States was to use this argument in private with Netanyahu a year later, it tried unsuccessfully to persuade the co-sponsors to employ language that would permit it to abstain when the matter was before the Council. In an all-too-evident difference of opinion within the Western alliance, the US vetoed the draft resolution.

In short, the Clinton Administration did not enjoy an unfettered ability to exercise the power of the United States. There were domestic and international constraints upon it. The constraints, however, were not comprehensive. There was sufficient remaining flexibility for the Administration to prosecute its objective.

The measures employed

The Clinton Administration employed some of the instruments of statecraft at its disposal in order to effect its objective. The constraints

¹⁹ European Community (1980). *Venice Declaration on the Middle East*, 12-13 June 1980. As members of the EEC, Britain and France subscribed to the Venice Declaration's assertion of the right of the Palestinian people to self-determination.

http://www.euromed.net/eu/mepp/venice_en.htm - accessed 22 April 2002

discussed above explain why it did not use all the instruments at its command. This section will analyse the efficacy of the instruments selected. Whether other instruments might have been efficacious is a hypothetical question. The fact is that Clinton was either unwilling, or felt unable, to employ them.

Positive sanctions

Positive sanctions may be offered either as an inducement to achieve an objective or as a reward for 'services rendered'. The United States made extensive use of this instrument. The Administration persuaded Egypt to provide leadership on many occasions, knowing that Egypt had its own interest to serve in re-establishing its credentials among Arab states after having concluded a peace treaty with Israel in 1979, and that Egypt's economy was heavily dependent upon the United States's annual \$2 billion aid contribution. It urged the Egyptian government to intercede with Arafat in support of American positions; sought Egyptian backing in its dealings with other Arab states; acknowledged Egypt's role in hosting the signing of the Cairo Agreement; and persuaded Egypt to host international meetings at Sharm el-Sheikh in support of the peace process,²⁰ and to convene one of the regional economic conferences. The Administration also co-opted the services of Jordan's King Hussein who helped secure the Hebron agreement in 1997 and the conclusion of the Wye River memorandum in late 1998. Jordan became a recipient of substantial American aid after its conclusion of a peace treaty with Israel in 1994; its contribution in 1998 brought additional rewards; and a free trade agreement was concluded. Saudi Arabia and the Gulf states played a critical part in the removal of the secondary and tertiary boycott; while Jordan, Morocco, Qatar and Tunisia received Israeli and other delegations at international conferences. Through such collaboration, the Administration was able to demonstrate at critical times that the peace process enjoyed regional support; and to create an environment in which regional cooperation with Israel was practised and Israel's legitimacy as a neighbour was facilitated. Some of this latter group of states may have entertained expectations that their contributions would be recognised by the United States. Cairo was advanced as the location for a regional development bank; Tunis became the

²⁰ Meetings were held at Sharm el-Sheikh in March 1996, September 1999, and October 2000.

headquarters of the Middle East-Mediterranean Travel and Tourism Association; and Morocco's longstanding contribution as chair of the Arab League's Jerusalem Committee and sympathetic attitude toward its Jewish population, suggested Casablanca as an attractive venue for the first of the regional economic conferences. The conference offered the Moroccan authorities an opportunity to display their wares before a large and influential business community.

Israel's vulnerability and sense of insecurity exposed a weakness that was susceptible to American manipulation. The Administration induced Israel's continued cooperation with the peace process a number of times by assuaging its security concerns. Israel's security throughout the 1990s was challenged from within territory that it claimed to control. The Administration undertook a number of measures to deal with Israel's discordant relationship with the Palestinians. At the Wye River Plantation, Clinton agreed to involve his Administration in a high level US-Israel-Palestinian committee to restrain terrorist activity in the region. The CIA became involved as a full partner of the Palestinians in the systematic and effective combat of anti-Israeli terrorist organisations and their infrastructure.

The positive sanctions extended to the Palestinians by Clinton had both a psychological and material dimension. In material terms, America's aid was not voluminous because of legislative constraints. It pledged \$500 million over five years; and augmented this by another \$400 million after conclusion of the Wye agreement, which was tied to expenditure on infrastructure, education, community development and "Rule of Law" projects.²¹ Total American aid to the Palestinians was insignificant when compared to American disbursements to Israel and Egypt and was unlikely in itself to provide a significant lever. The value of American aid lay in its psychological dimension as a tangible expression of interest. In their dealings with the Palestinians the Americans employed positive sanctions many times, drawing heavily upon the psychological dimension of this instrument. The prospect of United States recognition secured Arafat's public disavowal of terrorism and a voiding of the provision in the Palestinian National Covenant that had called

²¹ Mark (2003), *Palestinians and Middle East Peace*, p.4

for Israel's extinction. After the conclusion of the 1993 Declaration, Arafat was accepted as a major player in the ensuing drama, and received at the White House by Clinton more often than any other international leader. His previously proscribed PLO metamorphosed into the Palestinian Authority as Clinton extended support for the purposes of the Declaration. The Administration provided aid for the PA and marshalled international assistance for the nascent Authority in 1993, and additional assistance in 1998. Clinton addressed the Palestine National Council in December 1998; and in framing his parameters for any settlement two years later came closer to endorsing a two-state solution than any previous American president. Although the United States's international behaviour, especially in the UN, showed its clear bias toward Israel, America's strategic partnership with Israel did not prevent Clinton or his officials from urging Israelis to accept Palestinian positions that they held to be reasonable. Arafat attached great value to Clinton's participation in the peace process.²²

Use of this instrument in these ways demonstrated the importance the Clinton Administration attached to the peace process, and helped keep the Palestinians engaged in it despite reversals and breakdowns. It was ineffective, however, in restraining those Palestinians committed to violence against Israelis. Despite regional condemnation of terrorism and Clinton's imprecation that Arafat act to end it, this intermediate objective was not attained, with detrimental consequences for achievement of the overall objective.

International norms

The strength of an international norm's influence in foreign relations depends upon the number of actors that share a value-based expectation of behaviour, and how precisely the norm distinguishes between appropriate and inappropriate behaviour. Peer pressure may induce compliance where a state accords importance to its reputation, but reputation can not guarantee observance where a state believes that some overriding interest would be compromised by doing so. In predicating a comprehensive settlement of the

²² Arafat pleaded with Clinton in November 2000 'to finish the peace and that if we didn't do it before I left office, it would be at least five years before we'd be this close to peace again'. Clinton, W.J. (2004). *My Life*, p.929

Arab-Israel dispute on UN Security Council Resolutions 242 and 338 and the principle of territory for peace,²³ Bush reaffirmed the United States's commitment to an international requirement that it had helped to shape. Not only do these resolutions command respect due to their provenance from the UN Security Council, they also fulfil the second requirement for normative behaviour in indicating that the only appropriate action would be Israel's withdrawal from territory occupied during the 1967 war. The demand for Israel's withdrawal from Lebanon is the subject of UN Security Council Resolution 425. A value-based expectation of Israeli behaviour in relation to occupied territory is also expressed in the Fourth Geneva Convention. States hold an expectation that Israel is obligated by its subscription to the UN Charter and to the Convention to observe Security Council resolutions and the provisions of the Convention.

From the outset of the Madrid process, the Bush Administration had shown ambivalence about its expectations of behaviour in accordance with these norms. The formal invitation to attend the conference mentions UN Security Council Resolutions 242 and 338 twice.²⁴ But the United States was more circumspect in its letters of assurances issued to the negotiating parties on the eve of the Madrid conference. In the absence of authoritative texts of the letters, this study has drawn on material published in the *Journal of Palestine Studies*²⁵ and *Le Monde diplomatique*.²⁶ The UN Security Council resolutions were mentioned in the letter to the Palestinians, and in the letter to Syria as bearing upon the Golan Heights, while the letter to Israel noted that it 'holds its own interpretation of Security Council Resolution 242, alongside other interpretations'.²⁷ An analysis of the *Journal* and *Le Monde* documents also reveals inconsistencies in respect of the substance of the Fourth Geneva Convention. Baker assured the Palestinians that the United States 'is opposed to the Israeli annexation of East Jerusalem and extension of Israeli law on it

²³ Bush, G.H.W. (1991). Address Before a Joint Session of the Congress on the Cessation of the Persian Gulf Conflict, 6 March 1991. *Public Papers - President Bush, 1991*, p.220

²⁴ Aronson (1992). "U.S.-Soviet Letter of Invitation", p.121

²⁵ Butler, L. (1992). "The Madrid Peace Conference", pp.118-20

²⁶ *Le Monde Diplomatique*, 18 October 1991. "US Letters of Assurances to the Palestinians and Israel." <http://www.monde-diplomatique.fr/cahier/proche-orient/madrid-garantie-en> - accessed 30 October 2003

²⁷ Baker (1992). "U.S. letter of assurances to Israel", p.120

and the extension of Jerusalem's municipal boundaries' and that 'the US has opposed and will continue to oppose settlement activity in territories occupied in 1967 which remain an obstacle to peace'.²⁸ The letter to Israel makes no mention of either Jerusalem or the settlements question. Such coyness presumably indicated Baker's anticipation that the United States would face difficulties when debate opened on Israel's settlements policy and claim over Jerusalem.

International norms are not generally prescriptive. They commonly provide a standard against which a state's behaviour may be assessed and a moral basis for any international demand for reformative behaviour. The international community adopted a series of progressively more insistent demands for the cessation of Israeli settlement activity based upon an almost universal understanding of the Fourth Geneva Convention. The intent was to shame the United States and Israel (and Micronesia) that alone stood in the way of universal acceptance of its normative value, and to embarrass the United States into pressuring Israel to acquiesce in its demand that settlement activity be stopped. The Clinton Administration urged the Netanyahu government to desist. Even as it did so, the Administration denied any role for the international community in determining an outcome in this matter, notably in the UN Security Council where it used the United States's veto power to that effect. Although outnumbered in the UN General Assembly, the United States held to the view that these were matters for the parties themselves to determine in the context of final status negotiations. The Administration also tried in 1994 to have all General Assembly resolution language referring to final status issues dropped.²⁹ Unable to persuade the Israeli government to alter its policy, and unable to stem a mounting international tide of criticism, the Administration sought to induce the Israeli government to reverse its policies through an expanded programme of security assistance. Clinton's failure to endorse the application of the Convention to the occupied territories diminished the worth of a norm in international relations that the United States had helped to forge and that it might, conceivably, wish to uphold under other

²⁸ Baker (1992). "U.S. letter of assurances to the Palestinians", pp.118-9

²⁹ El-Fassad, A. (2000). *Palestinians defend their right to return*, Protest.Net. <http://www.protest.net/view.cgi?view=1935> – accessed 24 July 2003

circumstances. In turn, the erosion of the norm weakened the strength of the Administration's argument that Israel desist from practices that were altering the bases of any final status agreement while the parties were proceeding toward its negotiation.

The Clinton Administration had also worked to secure an indefinite extension of the NPT and the adherence of putative nuclear-weapon states to both the NPT and CTBT. Egypt's attempt to make Israel's accession to the treaties a precondition of its support for the NPT extension, led to the closure of the multilateral working group on arms control and regional security. The Administration was unable to silence criticism of the United States for pressuring some Third World countries to subscribe to the treaties while remaining silent about Israel's non-participation. In closing down debate within the ACRS working group, the Administration gave greater credence to shielding Israel from international pressure to subscribe to the NPT than to the universality of an international regime that it was championing. Again, the United States was content to forgo the moral force of an international regime as either the basis for, or as supplementary to, the projection of its power.

Persuasion

The purpose of persuasion is to appeal to the national interest of the target state, which may involve encouraging the target state to change its perception of its national interest or to conform to international standards of behaviour. Persuasion may take different forms. Its moral element may be subsumed within normative behavioural expectations, while the application of the punitive or coercive element lies within the compass of negative sanctions. The political element was the measure most frequently employed by the United States in seeking to foster a settlement between Israel and its neighbours.

Many of the ideas advanced by the United States went to getting the parties to remain at, or to return to, the negotiating table. The Clinton Administration brought Syria into direct negotiation with Israel. Christopher was able to parlay his 'special channel' role between Israel and Syria into an avenue for the advancement of American ideas, eventually securing Assad's concurrence to negotiation between the parties at ambassadorial level and later between senior military advisers and ministers. The Administration's

contribution opened the way for bilateral negotiations at the Wye River Plantation in late 1995 and early 1996. The process collapsed when in 1996 Israel decided to launch an attack against a terrorist group in southern Lebanon. It was resumed at Shepherdstown at the end of 1999, again through American intercession.

The Administration also effected a resumption of negotiations between Israel and the Palestinians. Christopher invited representatives of Egypt, Jordan, Israel and the Palestinians to Washington in March 1995 in an attempt to re-energise the Israeli-Palestinian negotiation when it stalled. In September 1996, Clinton, with the assistance of King Hussein, secured a commitment from Netanyahu and Arafat to negotiate an agreement on redeployment from Hebron. Albright succeeded in getting Arafat and Netanyahu together in September 1998 after more than a year's separation, paving the way for the meeting at the Wye River Plantation at the end of October. Then, after a change in the Israeli leadership, Clinton urged Arafat in July 1999 to meet with Barak and to hear him out. He had to intercede again to get the parties to Camp David in 2000 and, after the collapse of that initiative, to present proposals that brought the parties back to the negotiating table in early 2001.

Each time the Administration was successful in persuading the parties that it was in their interest to continue negotiating. It was less successful in persuading them to make the accommodations necessary for peace. A necessary intermediate objective was attained, but the overall objective remained out of reach. Although preoccupied with the need to keep the dialogue going, and resigned about Syria's refusal to conclude an agreement with Israel, Clinton never lost faith in the need for an Israeli-Palestinian settlement.

Public diplomacy

Public diplomacy is a diffuse measure that seeks to influence foreign audiences through the projection of the differing views of individuals, organisations and governments. It is qualitatively different from governmental public information programmes. It is a vehicle for the projection of Nye's 'soft power' in that it seeks 'to entice and attract'. Clinton had an instinctive ability to project a message to target audiences, evident in his empathetic

address to the Palestine National Council, and in his challenge to Israelis and Palestinians to determine not *whether* but *how* to live side by side. Throughout the vicissitudes of the negotiation process, he managed to convey his determination to work for a positive outcome. He tried to encourage Assad to assure the Israeli public of Syria's interest in reaching an accommodation, but was dealing with someone who was neither naturally inclined nor trained in public diplomacy and who failed to make any impression.

More might have been done through public diplomacy and non-governmental 'second track' channels to build a constituency for a desired outcome without necessarily transgressing norms of acceptable diplomatic behaviour. It was apparent that Israel, Syria and the Palestinians had done little to prepare their peoples for the transformations that would occur were peace settlements to be achieved. Mythologies that shaped perceptions, such as the right of Palestinian refugees to return to their original homes or that Israel's security could only be assured through a maximalist land grab,³⁰ had to be pricked. There was a real need for the promotion of people-to-people contact.³¹ The Administration might have encouraged informal debate within academic and other cultural communities, nationally and internationally, about issues that could affect the outcome, the accommodations that would have to be made to achieve it, and what the future might hold. The Clinton Administration accepted too readily that challenging the direction of Israeli policy could be seen as interference in Israel's domestic affairs. There is a qualitative difference between seeking to persuade a foreign government that a particular course of action is in the state's national interest, and interference in its affairs. The former is accepted as customary diplomatic practice, whereas the latter is deemed unacceptable behaviour.

Unintended consequences

The negotiation produced a number of unintended consequences to which the Administration had to react. The most significant of these was the extreme to which Israeli and Palestinian perpetrators were prepared to go to ensure that the Oslo accords foundered. Opposition to the Oslo accords may

³⁰ Ross, D.B. (2004). *The Missing Peace*, p.337n

³¹ Ibid. p.770

have been expected, but Clinton's Administration could hardly have anticipated that it would assume so violent a form. The Administration was not a party to the negotiations in Norway and was not responsible for the accommodations made by the Israeli and Palestinian leaderships that disturbed elements on both sides. The aberrant activities of Baruch Goldstein and Yigal Amir threatened the entire process. The Oslo accords were seen by Palestinian rejectionists as offering too little, which encouraged them to engage in expressive behaviour. That Israel would react to Palestinian civil disturbance could be anticipated, but probably not the wholesale and prolonged shut-down of the borders affecting commercial intercourse between Israel and the Palestinian territories. Israel's response caused a significant decline in the living standards of Palestinians, exacerbating the situation. Clinton described the cycle of violence and retribution as the toughest issue he had to face.³² He sought to address it by proscribing assistance to Hamas, and committing American personnel to work with Israelis and Palestinians to prevent the violence. In order to advance the peace process, the Administration had to persuade the parties to remain engaged notwithstanding the situation. It successfully achieved this in the procedural sense, but its inability to persuade Arafat to make a 100 per cent effort to restrain dissident elements, or to persuade the Israelis to ameliorate the socio-economic condition of the Palestinians contributed materially to the failure of the negotiation. The rejectionists were never under Arafat's control; and some may have become encouraged after 2000 by Barak's withdrawal of the IDF from southern Lebanon to believe that sustained insurgency could work to the Palestinians' advantage.

The functionalist approach championed by the Administration through the economic conferences was intended to encourage the participants to foster regional development, incorporating Israel, and to produce a win-win result for the region's inhabitants. The Administration could not have foreseen that an Israeli government would work against the country's longer-term economic interests. The approach was working well until it was jeopardised by the policies of Netanyahu's government, and an apprehension began to emerge in

³² Clinton, W.J. (1995). The President's News Conference, 5 April 1995. *Public Papers – President Clinton, 1995*, p.468

some Arab states that a comprehensive settlement would establish Israeli economic hegemony in the region. The proposal for a regional bank was intended to offset Israeli predominance by assisting in the development of Arab states, but it was set aside when the relevant multilateral channel was abandoned.

Post hoc evaluation

Having employed some of the resources available to it in the manner described above, and having shown flexibility in moving to counter unexpected obstacles, why was the Clinton Administration unable to achieve its objective? Three reasons are adduced: the United States's objective was imprecise; the negotiation process was predicated upon a false expectation; and the United States was unable to persuade other parties that accommodation was in their national interests.

Imprecision, but flexibility

America's objective was presented in broad terms. Imprecision in defining the objective and tactical means of attaining it contributed to America's inability to achieve a comprehensive settlement. This is not to argue for a prescriptive outcome: flexibility was essential. Any compact freely entered into by the parties was more likely to endure than one imposed by an external actor. The Israel-Jordan peace treaty, concluded with little more than Clinton's encouragement, has survived notwithstanding an ill-judged Israeli attempt to assassinate Khaled Mashal, a senior Hamas official, in Amman in September 1997; and the continuing strain of Palestinian resistance and Israeli reprisal along the River Jordan's western bank. Ambiguity, moreover, is built into UN Security Council Resolution 242, which is deliberately vague about 'territories occupied in the recent conflict'. Baker was asked, in the lead-up to the Madrid Conference, to define more precisely America's interpretation of the areas in question. He refused to do so, arguing that 'removing the ambiguity would mean prejudging the negotiations'.³³ Nevertheless, the

³³ Ross, D.B. (1993). UNSC 242 and Arab-Israeli Peacemaking. *UN Security Council Resolution 242: the building block of peacemaking*. Rostow E.V. [et al.] Washington DC, The Washington Institute for Near East Policy. p.60

wisdom of embarking upon a journey without some idea of how to get to the destination might be questioned.

Clinton found that leaving matters of substance to the contesting parties was not without cost or personal embarrassment. Lacking precise objectives of its own, natural curiosity might have led the Administration to clarify the parties' intents with a view to assisting in securing particular outcomes. Clarification was not always easy. The Administration probed for Syria's bottom line; Ross found it difficult to extract position statements from Arafat, whose negotiating technique was to withhold decision-making until the last possible minute;³⁴ Rabin was less than frank with Christopher about the negotiation at Oslo; and Barak deliberately concealed his intent from Clinton at Camp David.

It is hard to understand why Clinton should have permitted the office of the President of the United States of America to be used as an emissary of Israel to both Assad and Arafat without having first arrived at some common ground with the Israelis about their intentions. Clinton had foreseen that a comprehensive settlement would entail considerable concessions on Israel's part. The Administration failed to establish with the Israelis the implications of Israel's ceding territory on its northern, eastern and western frontiers. The absence of agreement on so fundamental an issue produced divergent priorities between Clinton's preference for a resolution with Syria, and Israel's ambivalence about whether to proceed with the Palestinians or Syrians.

In respect of Syria, any distinction the Administration might choose to maintain between Christopher's roles as intermediary and secretary of state in conveying Israeli views to Assad was bound to become blurred, and the subject matter perceived as being supported in some degree by the United States. Assad might be forgiven for thinking that the basis of a settlement was at hand, having received a message from Clinton saying that he had agreement on the 4 June 1967 line in his pocket. He may reasonably have anticipated that Clinton would tell him that Barak was ready to conclude an agreement on that basis when they met in Geneva in March 2000. The Administration had invested heavily in the Syrian negotiation, and had brought Israel very close to

³⁴ Interview with Ambassador Dennis B. Ross in Washington DC on 20 April 2001

acceptance of Syria's basic territorial demand. It is surprising that Clinton did not press for its conclusion. Also, he appears not to have questioned Barak's decision unilaterally to withdraw from Lebanon, which was a lesser-order achievement than a settlement with Syria. Had a peace agreement been concluded between Israel and Syria - even a 'cold peace' like that between Israel and Egypt - Lebanese and Palestinian insurgents would have been deprived of Syrian support, and the way opened for the conclusion of an agreement with Lebanon.

The Damascus-based Palestinian groups would have had to seek alternative patronage and a base in some locality further away from Israel, or some rapprochement with the Palestinian Authority, or wither away. An agreement with Syria would leave the Israeli government unencumbered to focus wholly on the Palestinian question. This course of action, like any other in the Middle East, was not risk free. Assad may not have been receptive to a 'Syria first' strategy, fearing that he would be abandoning the Palestinians to whatever concessions the Israelis might be disposed to offer. The Administration would have had to convince him that its strategy was designed to lead to, and to embrace, a resolution of the question of Palestine. The Clinton Administration ought to have presented it to Barak as a gamble worth taking, provided that an agreement could be reached with Syria about the volume of water that might be withdrawn by both parties from the Sea of Galilee and that Israel could be assured of alternative water supply, including from desalination plants.

The Administration became engaged in detailed negotiation about Palestinian territory when it helped reformulate the Hebron agreement in 1996-97. That unequal compact provided some 450 Jewish settlers with 20 per cent of the town, leaving the remainder to Hebron's 160,000 Palestinian inhabitants. The Wye River Plantation and Camp David discussions drew Clinton further into the debate about area. Following the unproductive meeting at Camp David, Clinton suggested principles that might be pursued in allocating territory between Israel and the Palestinians, but refrained from being drawn into detail. Israel's bid was to secure at least 77 per cent of the 'total area of

Israel and Palestine between the Jordan river and the sea'.³⁵ Israeli negotiators had in mind an eventual transfer to the Palestinians 'of slightly under 90 per cent of the area of the West Bank'³⁶ which, were it to be accepted, would see an expansion of the area controlled by the Palestinian Authority to 21 per cent of the area of the former British mandated territory. The Palestinian Authority seeks 22 per cent.³⁷ The issue for Clinton, no less than for the Palestinian Authority, was whether the Palestinian people could be persuaded to endorse and honour a peace agreement that offered the prospect of sovereignty and independence over less than one-quarter of their former inheritance.

As the Israeli-Palestinian negotiation progressed, as the depth of Clinton's understanding increased, and as the actions of Palestinian rejectionists became more insistent, the United States reappraised the position it had adopted in 1991. American policy would have precluded Palestinian statehood and preserved Jerusalem's integrity as an undivided city. By the end of his term Clinton had decided that 'there could be no genuine resolution to the conflict without a sovereign, viable, Palestinian state that accommodated Israel's security requirements and the demographic realities'.³⁸ The US policy change in favour of a two-state solution that Clinton foreshadowed was confirmed by the Administration of President George W. Bush in November 2001, and the president persuaded the Israeli government of Ariel Sharon publicly to endorse it in 2003.

America's policy that Jerusalem remain undivided seemingly complicated any prospect of the Administration achieving an outcome on Jerusalem acceptable to both parties. Was it originally code for acquiescence in Israel's conquest of East Jerusalem in 1967, suggesting that sovereignty over the whole city be vested in Israel? Or did Clinton's subsequent proposition that a solution might be found on the basis that 'what is Arab

³⁵ MidEast Web (2003). *The Israeli Camp David II Proposals for Final Palestine-Israel Peace Settlement*, July 2000. p.1. Israel's exclusion of certain areas from the base figure from which calculations are made affects the calculation.

<http://www.mideastweb.org/campdavid2.htm> - accessed 6 June 2003

³⁶ Ibid. p.3

³⁷ Bennet, J. (2003). "Abbas sums up vision for a Palestinian State." *The New York Times on the Web*, 20 July 2003, reports Abbas as saying that 'Palestinians were asking for 22 percent of that land'.

³⁸ Clinton, W.J. (2001). Remarks at an Israel Policy Forum Dinner in New York City, 7 January 2001. *Public Papers - President Clinton, 2001*, p.33

should be Palestinian...what is Jewish should be Israeli'³⁹ offer prospect of separate sovereign areas within an undivided city? From the negotiation in early 2001 it appears that 'undivided' might be interpreted as implying unity in a municipal sense, presumably embracing a city-wide provision of services. The Administration and Israeli and Palestinian negotiators were prepared to discuss measures that would have resulted in separate Israeli and Palestinian sovereign areas within the city. The Administration offered inducements to Arafat at Camp David to conclude an agreement on Jerusalem, but Arafat rejected the proposition that Israel and the Palestinians should share the Haram al-Sharif/Temple Mount platform and insisted on full Palestinian sovereignty over it. The Israeli foreign minister is reported to have said that 'he would be content if the Palestinians would merely acknowledge the Temple Mount as a site holy to Jews'.⁴⁰ Ideas were advanced that would have recognised the attachment of various religions to sectors of the Old City of Jerusalem, but they were submitted too late in Clinton's term for him to facilitate an agreement. Both sides were later to express the view that during the negotiations at Taba in January 2001 they had arrived at common ground on Israeli sovereignty over the Jewish quarter of the Old City and parts of the Western Wall. Even if the negotiators were to be satisfied that an agreement could be reached broadly in conformity with Clinton's proposal, they could well face a difficult task in selling it to their own domestic communities and to Jews, Muslims, and perhaps also to Christians, abroad.

Although imprecision about the Administration's preferred terms of any settlement enabled it to accommodate the dynamic of the negotiation and to respond flexibly to changing circumstances, a broadly expressed objective did not present an operational target. Diffusion worked against the goal's attainment.

False expectations

The second reason for Clinton's failure to secure a comprehensive settlement was that the negotiation process was founded on three significant false expectations. The United States had assumed that confidence-building

³⁹ Ibid. p.33

⁴⁰ Makovsky, D. (2003). "Taba mythchief." *The National Interest* No.71 Spring 2003 p.124

measures would create sufficient trust among the parties to permit the conclusion of peace agreements; that the demography of the West Bank and East Jerusalem would not be materially altered during the negotiation; and that countries of the Middle East would find peace an attractive public good.

Lasting peace could not be achieved in the absence of trust, but there was no guarantee that sufficient trust could be built. The premise was not tested in the context of the Madrid process in relation to Jordan, and had not been sufficiently developed in relation to Syria before Israel's negotiation with that country was aborted. In relation to the Palestinians, the building of confidence in accordance with a three-phase process over five years proved to be too protracted. Neither Israelis nor Palestinians could see immediate positive returns from the peace process, and both harboured communities that worked to see the process fail. Clinton tried unsuccessfully to prevent either of these negative forces from gaining credence.

An expectation that demographic change in occupied territory prior to any final status negotiation was unlikely to be significant was eroded by Israel's building of settlements between East Jerusalem and its Palestinian hinterland. Although some of the new accommodation was to be allocated to non-Jews, the majority would be reserved for Jews. Both Clinton and the Administration of the first President Bush had made clear America's objection to any unilateral action that would predetermine an issue that had been reserved for final status negotiations.⁴¹ Had Clinton chosen to do so when witnessing signature of the Declaration of Principles in 1993, he could have expressed a general expectation that nothing should be done by either party to complicate a possible resolution of the matters that had been reserved for final status negotiations. That would have been consistent with the Declaration's statement that the integrity of the West Bank and the Gaza Strip 'will be preserved during the interim period'.⁴² The Administration could then have held both parties to account. Clinton's failure to issue such a statement on an occasion when it would have seemed appropriate to do so complicated his search for an accommodation between the two parties. Israel's settlements

⁴¹ Clinton, W.J. (1999). The President's News Conference with President Hosni Mubarak of Egypt, 1 July 1999. *Public Papers - President Clinton, 1999*, p.1238; Baker (1992). "U.S. letter of assurances to the Palestinians", p.119

⁴² "Declaration of Principles on Interim Self-Government Arrangements", Art. IV

policy became a major cause for the loss of Palestinian confidence in the peace process, and they were able to build it into a *cause célèbre* in the United Nations that the Administration was unable, by then, to contain.

The United States expected that peace would introduce a public good that would be attractive to the peoples of the region, and lessen the prospect of further outbreaks of hostilities in the Middle East requiring American intervention. The multilateral negotiations and the regional economic conferences were intended to demonstrate the value of cooperation. The Administration hoped that the medium to longer-term benefit of an Israeli-Palestinian settlement would be such that any opposition to its terms would be confined to the Israeli and Palestinian parliamentary systems. Palestinian violence was a manifestation of deeper grievances deriving from dispossession of Palestinian lands and humiliation arising from 'foreign' domination.⁴³ There were 21 incidents in Israel between the execution of the Declaration in 1993 and the expiry of Clinton's presidency in 2001, resulting in 169 deaths and many more injuries to Israelis and others.⁴⁴ Violence was not the sole cause of the periodic breakdown of negotiation because the parties' aspirations differed markedly, but it was a major factor. And for so long as violence persisted between the two principal protagonists, any expectation of peace ushering in a region-wide public good was illusory.

Persuasion, but no coercion

The third explanation for Clinton's inability to effect peace settlements between Israel and Syria and the Palestinians is that he was necessarily obliged to work through authorities that had their own dynamics. He could appeal to legislators and the Israeli public and to people within the Palestinian Authority through persuasion and inducements, but he could not command. Rejection of the terms of the Oslo Declaration of Principles by Palestinian groups, and their subsequent boycott of the election of the *ra'is* and the Legislative Council,

⁴³ Pape. "Dying to Kill Us." Pape's study shows that 'the raw number of suicide attacks is climbing...even while the rates of other types of terrorism actually declined' over the period 1980-2001, and that 'nearly all suicide terrorist campaigns have in common...a specific secular and strategic goal: to compel liberal democracies to withdraw military forces from territory that the terrorists consider to be their homeland'.

⁴⁴ Ministry of Foreign Affairs (2003). Suicide and Other Bombing Attacks in Israel since the Declaration of Principles (September 1993). Israel.
<http://www.mfa.gov.il/mfa/go.asp?MFAH0i5d0> – accessed 26 May 2003

meant that Arafat's ability to carry the Palestinian community was circumscribed. He was either reluctant or unable to rein in his critics; was vulnerable to their charge of accommodating the Israelis, accepting far too little in return for what he was prepared to give up; the Oslo accords were perceived by Palestinian refugees as detrimental to their legal, national, and human rights, reinforcing their sense of dispossession and disenfranchisement;⁴⁵ and his secularist policies were contrary to the sectarian ambitions of his Islamist opposition.

Moreover, Arafat and his Tunis-based cohort represented a 'foreign' culture, grown apart from the indigenous liberation movement that flowered in the first *intifada*. Arafat hoped to earn the support of his critics and to realise his claim to speak for all Palestinians. He felt that he could not put too much pressure on his opponents, whose opposition he had unsuccessfully tried to channel into the Palestinian legislature. When inclined to do so, he was able to exert authority over dissident groups in the West Bank and Gaza through repressive means, but had no leverage over those working from abroad. The importance attached by the Administration to restraining the insurgency involved American agencies working in close collaboration with Palestinian instrumentalities that showed scant regard for human rights, and whose activities ran counter to Clinton's global aspirations in that field.

Israel's complex political system constrained its leadership. Notwithstanding the direct popular election of its prime minister, the premier's mandate was hampered by the need to form a coalition government and vulnerability to the special interests of the minority parties within it. Both Netanyahu and Barak saw advantage in concluding a comprehensive 'Palestinian' package that might pass through the Knesset, rather than having to present serially a collection of piecemeal agreements. Both saw their governments fragment over possible terms of settlements. Clinton showed understanding of the Israel leaders' political difficulties, and concurred in their 'package' approach.

The United States, which jealously preserved the Arab-Israel peace process as a matter for its direction, showed a marked reluctance to employ

⁴⁵ Bowker. *Palestinian Refugees*, p.160

coercion in its bilateral relationship in order to achieve its objectives. Clinton preferred employing positive sanctions to negative ones. He may have concluded that the commitment of the parties to the peace process was too fragile to withstand negative sanctions. This was true of Netanyahu, but not generally of the other leaders: even Assad had been coaxed into negotiation. While a policy of working constructively with the various parties toward an outcome has its attraction, a respectable argument can be made for the application of pressure in circumstances where it is seen that cooperation is not likely to produce a desired result. Such was Clinton's domestic standing during the early part of his second term that he could have afforded to exert pressure on Netanyahu in relation to Israel's settlements policy. Clinton need not have employed the 'money lever' as bluntly as his predecessor because the US-Israel relationship is broad-ranging and deep. He could have supported the principle that the Fourth Geneva Convention applied to the occupied territories, or he could have insisted that American funds used for the housing of Jewish émigrés from the former Soviet Union be spent within Israel.⁴⁶ He might also have urged states contributing financially to the Palestinian Authority to impress upon Arafat the need to make a wholehearted and sustained effort to halt Palestinian violence as a condition of their continued support.

Dennis Ross has pointed to another means of applying pressure, namely to insist that parties to various agreement be publicly accountable for their implementation. The danger that one recalcitrant party may seek to attribute inaction on its part to the provocation of another, has been previously addressed. The fact remains, however, that 'there must be a consequence for nonperformance'.⁴⁷ He suggests that America's involvement 'should have been dependent on public conditioning for compromise, on each side fulfilling

⁴⁶ While the number of immigrants into Israel steadily declined over the decade of the 1990s from its peak in 1990-91, the percentage of immigrants from the former Soviet Union remained at 74.4 per cent in Clinton's last year in office. Ministry of Immigrant Absorption (2003). Immigration from Former Soviet Union (F.S.U.) by Year of Immigration. Israel. <http://www.moia.gov.il/english/netunim/yachas.asp?KodTeur=1&KodShemDoch=4&ezor=0> – accessed 26 June 2003

⁴⁷ Ross, D.B. (2004). *The Missing Peace*, p.771

commitments and behaving in a way that fit the objectives of the negotiation process'.⁴⁸

Clinton's disposition to shy away from exerting bilateral pressure on Israel contrasts with his exceptional resort to the UN Security Council to impose conditions on other countries. Almost 40 per cent of all resolutions adopted by the Security Council to January 2001 were passed during Clinton's presidency. There are advantages in the instrumental application of a multilateral consensus where unilateral action is likely to exacerbate bilateral relations and to provoke criticism of the wielder. But Clinton's use of the United Nations sent confused or contradictory signals: in the Administration's view it was acceptable to use the Security Council to impose sanctions on Iraq, but unacceptable for the Council to criticise Israel; it was desirable in most cases to demonstrate American hegemony through that UN institution, but undesirable that the United Nations should play a central role in the search for a Middle East peace settlement. Prescriptions of the UN General Assembly had to be removed. Clinton was prepared unashamedly to draw a distinction between the world at large and a resolution of the Arab-Israel dispute in which the United States had a propriety interest. In respect of the dispute, the consistent thread in Clinton's approach was that no external force should be permitted to interfere in the United States-designed peace process; and if any pressure were to be applied to Israel, it should be by the United States and in private. Such persuasion as Clinton sought to exercise over Israel in private was insufficient to attain his goal. Doubt must be entertained about the force of his representations.⁴⁹ While he was willing to wield a big stick in multilateral company, he was less inclined to do so bilaterally. Clinton was endowed with an extraordinary capacity to reach out to people and to convey empathy with them⁵⁰ but, as a student of leadership has commented, he was seemingly averse to conflict.⁵¹

⁴⁸ Ibid. p.769

⁴⁹ George, A.L. and J.L. George (1998). *Presidential Personality and Performance*. Boulder CO, Westview Press. They describe the president as thriving on intellectual conflict, but moderately uncomfortable with personal conflict and confrontation. p.247

⁵⁰ Ibid. p.247

⁵¹ Webster (1999). *President Bill Clinton's Foreign Policy: a critical assessment*, 7 May 1999. The James MacGregor Burns Academy of Leadership, College Park MD, University of Maryland. Webster cites the aphorism that 'he who wants to be everyone's friend has no friend in the end'.

Three reasons have been adduced for the failure of the Clinton Administration to achieve its objective. They intertwine and it is difficult to identify one strand as being of greater significance than the others. Ultimately, the president is responsible for the policies pursued by his Administration. Clinton encouraged debate within his cabinet and among his advisers, but the policy choice was his. There is no doubt about the strength of his commitment to the attainment of the overall objective, or that he worked for its realisation. A different outcome might have been achieved had the United States applied greater pressure to the parties at critical moments. The president displayed flexibility in adjusting to changing circumstances, especially the cycle of violence and retribution among Palestinians and Israelis, but was clearly reluctant to authorise coercive measures that might have assisted in the attainment of his goal.

Conclusion

The employment of power to produce a desired outcome is a function of the wielder's choice among available resources and the efficacy with which they are used. Clinton's intent to secure a settlement was clear, but fell short of ability, or preparedness, to use effectively all measures available to him to achieve his objective. He applied some measures in order to achieve his objective, but did not apply others. He used the UN Security Council to impose negative sanctions on other states, but preferred to extend positive sanctions to Middle Eastern actors to encourage them move forward. He was not prepared to put the United States's relationship with Israel under strain, or to press the boundaries of his own relationship with the pro-Israel domestic lobby on Middle Eastern issues. He was not disposed to maximise the support of his European partners on certain issues where it would have seemed appropriate to do so, nor was he willing to associate himself with a legal interpretation, which commanded almost universal support, about the responsibilities of an occupying power. He could have used the weight of the European Union or wider international community to strengthen the force of

his own representations, but chose not to do so. And he was reluctant to advance ideas of his own until far too late in the process to be able to influence their acceptance. It was not until the Wye River meeting in late 1998 that he became intimately involved in the negotiation process. He was to do so again at Shepherdstown in early 2000, at Camp David in the middle of that year, and in the ensuing months. His direct engagement in the detail thus occurred so late in his presidency that there was insufficient opportunity to bring appropriate pressure to bear. The opportunity to prosecute an outcome through America's ideational power earlier in his presidency was not effectively used. The critical comment of the Clinton presidency by one observer is that he was unable consistently 'to use the muscle of his office effectively to push over the long haul for something that he really believe[d] in'.⁵² A similar view was echoed by Rabinovich in relation to the ill-starred negotiation with Syria.⁵³

The Administration's most significant achievement was in keeping the negotiation process alive for so long, despite obstructions and constraints. It did this principally through the efficacious employment of positive sanctions. The process was in danger of collapse in 1997. Had it done so, it would have been extremely difficult to persuade the parties to recommit to negotiation. It was difficult enough in 1998 to get Arafat and Netanyahu back to the table under the existing structure after a year's estrangement, without having (in all probability) to devise and obtain regional concurrence in a new structure. Criticism of the Administration's actions in the United Nations and in relation to the Fourth Geneva Convention needs to be tempered by acknowledgement of this.

The Clinton Administration's greatest failing was its inability to persuade the parties to reach the accommodations necessary for peace. This was partly because it eschewed coercion as a tool. Clinton did not apply that measure to the Israeli government or urge the European Union to coerce the Palestinian Authority, presumably fearing that negative sanctions, when applied to the Israelis in particular, might prove counterproductive. Nor did he uphold expectations of normative behaviour, even in the context of their affirmation by friendly states that shared America's value-system. Positive

⁵² Webster, *President Bill Clinton's Foreign Policy*.

⁵³ Rabinovich, *The Brink of Peace*, p.253

sanctions had proven useful, but without the countervailing threat of negative sanctions America's power of persuasion was circumscribed. The utility of positive or negative sanctions as instruments of power lies in the target state's uncertainty about their application. Clinton's consistent use of the one, without employing or threatening the use of the other, removed the element of unpredictability and diminished their combined force. This contributed to his inability to convince the leaders of Israel, Syria and the Palestinian Authority to make the accommodations necessary to effect a comprehensive peace that would be in their own interest.

Constraints that bore upon the Administration's actions included Clinton's need to be sensitive to domestic opinion; an obligation to deal with foreign actors who held strongly to perceptions of their national interests; and a requirement to address the involvement of Iran and Syria which supported groups that rejected the Oslo accords. The Administration was generally able either to circumvent legislative restrictions by co-opting the services of other states, or to use congressional restraints to maximise its leverage. External actors' perceptions of their national interests proved particularly difficult to overcome. Prime examples were the Administration's failure to dissuade Peres from his adventure in Lebanon, or Netanyahu from his settlement activity; and to sustain regional economic cooperation in the context of Arab apprehension of Israel and displeasure with its practises. A peace between Israel and Syria would have addressed the third issue.

In choosing jealously to direct the process, the United States cut itself off from a possible source of independent advice and assistance. The European 'sponsors' of the Palestinian Authority might have been pressed to exercise leverage to halt the violence against Israel; and to use their relationship with Iran to urge restraint in the provision of assistance to insurgents. Consultation and cooperation among allies might have led to a more careful examination of the negotiation process and identification of appropriate tactics. On some important matters relating to Israeli objectives, this may have exposed the need for clarification before the Clinton Administration embarked on certain courses of action at Israel's bidding. A state may exercise its statecraft to co-opt others to assist it attain an objective. Baker did so effectively in order to bring the parties into negotiation at Madrid

in 1991. The Clinton Administration might have done so too, had it not held so proprietorial an attitude toward the peace process.

This *post hoc* evaluation has identified reasons for Clinton's failure to achieve his objective. Power is not an absolute: its capacity to produce an outcome is a function of circumstances, the effective utilisation of available resources, and leadership. Its limits may be exposed by the efficacy of the application of available resources under particular circumstances, but circumstances vary. Not even the most determined and effective utilisation of resources will produce a desired outcome in every case. A target state may be able to evade, directly or indirectly, the affect(s) of the wielder's power. America's failure to achieve an objective does not necessarily, therefore, expose the limits of its power. What this case study shows is that the president and his Administration failed to marshal and apply effectively all of the available resources at their disposal in order to persuade the parties principal to accommodate one another. There may be lessons that could be learned from this analysis about the effective projection of American power that could be susceptible of more general application. The Conclusion will suggest that this is probably the case.

Conclusion

When the Clinton Administration articulated its vision of a global society of states it identified an 'enlargement of the world's free community of market democracies'¹ as its primary objective, which it would hope to realise through American leadership and international cooperation. Human rights would be advanced through the process of democratic enlargement. The United States would capitalise on the demise of the Soviet Union, maximising the opportunity extended by the 'unipolar moment' to achieve it. An implicit thread in Clinton's foreign policy was a belief that states recognise certain interests and cooperate in their achievement. In this, he mirrored the views of 'Rationalists', like Hedley Bull. Like the 'Realists', his Administration asserted that power matters, but avowed that the United States would not seek to extend its reach by force.² Rather, it pursued a syncretic approach somewhat akin to that envisaged by Carr when he looked to peaceful change in international relations effected 'on that uneasy compromise between power and morality which is the foundation of all political life'.³ Albright was to confirm, on the basis of her service in the Administration at the UN and in the State Department, that in the current era no president or secretary of state could manage events without combining Wilsonian idealism and geopolitical realism.⁴

Clinton saw a settlement of the Arab-Israel dispute as consistent with his global vision of a post-Cold War world order. Its peaceful resolution would demonstrate that under US hegemony a 'new world order' could bring benefit to the Middle East by diminishing the likelihood of another conflict developing between Israel and its neighbours that would adversely impact upon American interests and disturb the tenuous pattern of regional cooperation established during the 1991 Gulf War.

Clinton's Administration sought to effect change through the projection of the United States's unrivalled power. Conceptually this might be through physical means, but power is more commonly exercised through other means

¹ Lake (1993). "From Containment to Enlargement", p.659

² Ibid. p.660

³ Carr. *The Twenty Years' Crisis*, p.220

⁴ Albright (2003). *Madam Secretary*, p.505

whose psychological dimension is pervasive. Power is exercised to encourage or influence a target to produce an outcome desired by the power-wielding agent. 'Costs' might have to be borne by both the state wielding power and its target. It is assumed that a state decides to project its power in the expectation that it can affect others more than they can affect it. A democratic state, such as the United States, might be presumed to embark upon such a course only after undertaking a cost/benefit analysis.

David Baldwin has identified the instruments by which a state exercises its power. They have provided the basis for this case study. The United States employed instruments from among the range specified by Baldwin in pursuit of a settlement of the Arab-Israel dispute. It used some more efficaciously than others, but declined to use the full range at its disposal. That it was unable to achieve its goal would not surprise Kenneth Waltz, who has declared that 'powerful agents fail to impress their will on others in just the way they intend to',⁵ or Herbert Simon who has concluded that '[a]ttainment of objectives is *always* a matter of degree'.⁶ But the three authors might have expected that a state having decided on a course of action, would employ all reasonable means at its disposal to achieve its goal. It seems unlikely that in developing their theses either would have entertained the prospect of an agency prosecuting its objective with one hand behind its back, which is what happened when Clinton eschewed coercion and the threat or employment of negative sanctions.

Did Clinton's decision not to use all appropriate instruments suggest a lack of commitment to the attainment of a peace settlement? Glib assumptions have been made about the United States only exerting sufficient authority over Israel to satisfy Arab oil producers that it was doing something to address Palestinian grievances, or that the United States was constrained by the influence of the pro-Israel domestic lobby. The *post hoc* evaluation does not support so cynical a view. It shows that Clinton and his Administration never gave up on their efforts to bring the parties back to the negotiating table. Even if the president's expectation that face-to-face encounters could produce results was overly optimistic, movement was impossible without it. And it is a matter

⁵ Waltz (1979). *Theory of International Politics*, p.192

⁶ Simon (1957). *Administrative Behaviour*, p.177

of record that negotiation did produce some positive results. Reasons for Clinton's reluctance to threaten or employ negative sanctions have been advanced in the previous chapter, as were some alternative measures that might have been used to augment the inducements that were extended. Attachment to Israel, aversion to conflict, and the need to husband domestic support in the event of impeachment provide some explanation for the president's hesitancy about imposing negative sanctions.

These reasons do not address his failure to promote alternative measures. Nor do they address America's ideational 'deficit', apparent from the outset of the negotiation in 1991. The United States properly declined to *impose* a settlement: it preferred to offer bridging proposals than to identify some particular outcome and to advance argument in favour of it. For seven of his eight years in office, Clinton was reluctant to employ America's ideational power to propose terms on which a comprehensive settlement might be reached.

The existence of these lacunae does not expose the limits of America's power, for power was never applied. The self-selected 'no-go areas' became *ipso facto* 'no-power areas'. If the argument advanced in the previous chapter that a *pax judaica* concluded within the Madrid framework suited American interests is correct, why did Clinton decline to press Israel harder for it? He was prepared to back Israel in relation to the Hebron agreement, and to use the US veto in the UN Security Council to shield the peace process, but was seemingly unable to convince Rabin, Peres, Netanyahu or Barak that certain courses of action offered prospect of solution favourable to America's and Israel's common longer-term interests. Conclusion of a settlement with Syria, refraining from attacking Lebanon, and deferring withdrawal from Lebanon until after reaching an agreement with Syria, are cases in point.

The answer seems to lie in the president's reliance upon a relatively small company of advisers which was engulfed in the minutiae of the negotiation process, preoccupied by a necessity to keep it alive and to get recalcitrant parties back to the table, and obsessed with a fear that a breakdown of the process would leave the United States looking 'impotent'.⁷ A well-worn

⁷ Albright (2003), *Madam Secretary*, p.303

approach of aid, and yet more aid, was tried – especially to accommodate Israel's insecurities – rather than explore an efficacious use of resources through careful targeting. The provision of fighter aircraft to Israel could have little direct bearing on the peace process: a diversion of settlement construction away from the West Bank, or investment in alternative water supply, could.

Clinton's personal commitment to Israel and his numerous interventions ostensibly to protect the peace process led to questioning of the United States's credentials as an 'honest broker'. Despite its initial profession of that role, the United States was never an honest broker. A state exercises its power to protect, or to advance, its national interests. There are many means by which it may do so, but moral considerations and pretence of judicial impartiality do not normally inform the projection of power. It was the Administration of the first President Bush that claimed that it would be an honest broker, but the framework that it instituted at Madrid formalised the disparity between the Israelis and Palestinians. Clinton's Administration made no such claim. Both Israeli and Palestinian negotiators understood that the US-Israel partnership was inviolate. They learned that Clinton was deeply committed to a negotiated resolution of their differences, which he believed to be in America's national interest. They saw that he could not to be deflected from that objective and that he was prepared to employ some of the instruments at his disposal to that end. They were more receptive to his contribution – albeit a partial one – than many external observers and persons within their constituencies who hankered after a 'judicial' American fiat. The efficacy of Clinton's contribution must be read in that context, not Secretary of State Baker's questionable undertaking to be an honest broker.

Clinton's vision of enlargement of the community of democratic states, could not determine his course of action in the Middle East. Indeed, it is questionable whether his aspiration could offer a real direction for foreign policy because in too many situations democracy could not be given a central place.⁸ Its application in the Middle East rested on an assumption that economic cooperation would fuel demand for political liberalisation within Arab states. That was a very long-term proposition, and a questionable one.

⁸ Haass (2001). *Assessing Bill Clinton's Legacy*.

The Middle East and North Africa Economic Conferences might facilitate development and regional cooperation, but it is debatable whether they could produce a regional contribution to an enlargement of the world's community of market democracies. Strong self-preservation instincts within autocratic Arab states would need to be overcome. In the end, the functionalist approach failed not because it could not realise the Administration's expectations, but because regional mistrust of the policies of the Israeli government, and fear of Israel's probable pre-eminence in a peaceful Middle East, caused its collapse.

In the circumstances, the Administration had little choice but to conform to Tony Smith's 'selective liberal democratic internationalism'⁹ in the Middle East. Albright concluded in her memoir that the Administration 'should have had the vision to risk upsetting traditional friends in the Middle East by pressing for democratisation within the Arab world – including a direct challenge to the indoctrination of young people in tenets advocating violence and hatred'.¹⁰ That was never a realistic option. The one opportunity open to Clinton to inject an elected and accountable government into the region was presented by the creation of the Palestinian Authority. Some of the characteristics expected of a democracy were displayed during its formation, but neither the Palestinian Authority's European backers nor the Clinton Administration was ever able to encourage it to transcend the authoritarian practices of its progenitor organisation, the PLO. The Administration accorded a higher premium to a strong central system likely to be able to rein in insurgents; and was prepared to overlook transgressions of human rights by both Israelis and Palestinians in its singular focus on the peace process.

Does the United States's inability to attain a significant objective, in the context of an exceptionally benign international environment, have implications for the global unipolar inter-state structure? Can lessons be drawn from its failure that might be applied more generally to the projection of American power in a unipolar world?

Implications of Clinton's failure for the unipolar structure can be dismissed. The *post hoc* evaluation shows that the Administration failed to maximise the potential of the instruments at its disposal; and a single case

⁹ Smith, *America's Mission*, p.325

¹⁰ Albright (2003), *Madam Secretary*, p.507

study is unlikely to support so broad an extrapolation. There is at present no other state with the resources or capacity to challenge the predominance of the United States, whether it succeeds or fails in discrete adventures. A succession of US failures to achieve objectives over time will lead to questioning of the wisdom of American Administrations, and might encourage other states to develop a countervailing capacity to that of the United States, but that rests in the realm of conjecture.

Of more direct concern is the implication of failure to resolve the Arab-Israel dispute for other American interests in the Middle East. Linkages exist between them and the dispute. But before America's failure had a chance to impact directly upon other US regional interests, the Administration of President George W. Bush moved against Iraq in 2003. It led a 'coalition of the willing', whose effect was to remove from power the one Arab regime that posed a real threat to Israel. Iraq had launched SCUD missiles against Israel during the 1991 Gulf War. Thereafter it had been contained by the United States, but concern was voiced that it retained ability at some later date to target Israel with weapons of mass destruction. Syria did not pose a direct threat to Israel, despite its proximity: its forces had been convincingly trounced by Israel a number of times. Israel was beyond the reach of an accurate Iranian attack at that time, but vulnerable to insurgency and terrorism supported by Iran.

Bush's pre-emptive action against Iraq foreshadows a changed geopolitical environment in the Middle East. All regional states are conscious of this reaffirmation of American predominance; and that it was demonstrated contrary to the views of a majority of the permanent members of the UN Security Council and of most other nation states. If the Administration were to behave in a comparable manner elsewhere in the Middle East, it could have far-reaching implications for member states of the region.¹¹ The latent threat is potent. Much depends, however, on the outcome of America's intervention. Its adventure has provided an opportunity for Arab and Muslim extremists to target American troops and international institutions in Iraq. Their action commands, in varying degrees, the sympathy of less radical Islamic elements

¹¹ Glass, C. (2003). "Is Syria Next?" *London Review of Books*, 24 July 2003

critical of the United States's intervention and the manner in which it seeks to engineer a regime change in Iraq. The potency of the latent threat of American power to regional states is diminished to the extent that the extremists are able to frustrate, or delay, the imposition of America's fiat.

America's Iraqi adventure pushed the Arab-Israel dispute off the region's centre stage, but Palestinian insurgents have persisted with the *al-Aqsa intifada*, which has been running unabated since September 2000. It has inflicted pain upon the Israelis, but Israeli reprisals have severely hurt the Palestinians. Israel has been emboldened by Bush's policies to reframe its response to the *intifada* as consistent with America's war against terrorism, and to show determination that any accommodation with the Palestinians must be on Israel's terms, which now extends to the choice of its Palestinian interlocutors.

The Bush Administration has taken advantage of the changing geopolitical environment to try again to resolve the Israel-Palestinian contest. There are lessons that can be learned from the experience of the Clinton Administration in prosecuting a settlement of the Arab-Israel dispute which are relevant to Bush's ambition, and susceptible of application to America's power projection elsewhere. The touchstone is that peace is intended to be enduring, while force is generally a short-term phenomenon. The attainment of peace deserves to be planned and executed with at least as much skill and commitment as military intervention. Were an American Administration to proceed in accordance with this precept, the following tactical considerations would enter its calculus:

- the need to define the objective, or objectives if a staged process is envisaged, with precision. It is insufficient to leave the terms of any final outcome to others;
- the need to determine how the objective, or objectives, might be attained, including preparedness to advance ideas and to employ all appropriate measures;
- the need to consider whether the objective might reasonably be achieved within a certain timeframe. Where a staged process is envisaged, time-lines should be established for each stage.

Insistence on conclusion of a negotiation by a deadline imparts a sense of urgency to the process;

- the need to build a constituency for the desired outcome at home, and within the target state through public diplomacy;
- the need to maximise the assistance available, co-opting the assistance of other states, involving them in planning, and making effective use of them as partners, rather than agents;
- the need to apply pressure to the target state as well as offering inducements. Coordination with partners could be helpful in sending a consistent message; and
- the need to respond flexibly when unforeseeable circumstances arise, or the power-wielder's efforts produce unintended consequences.

These principles are not exceptional: most are standard practice in relation to the application of force. Why should they not be employed in more pacific circumstances? After the expiry of Clinton's presidency, the Bush Administration engaged in conflict in Afghanistan and Iraq, but in neither country has it been able effectively to apply its power to post-conflict reconstruction. Evidence has now emerged of a lack of coordination on the question of how to tackle this question in Iraq, with early planning by the State Department jettisoned in favour of an approach undertaken within the Pentagon.

There are other international issues to which the principles advanced in this conclusion may apply. The present Administration has successfully persuaded Russia to reconsider the extent of its nuclear assistance to Iran and to encourage Iran to cooperate with the IAEA. This cooperative international endeavour is contributing to the achievement of America's long-standing non-proliferation objective. Whether a similar approach in relation to North Korea might produce a comparable result remains to be proven. Counterterrorism measures also require international cooperation and resolve. If America is to protect its state and non-state interests in a porous global environment, it must demonstrate an ability efficaciously to deploy the resources at its command in order to maximise the assistance of other actors. The general applicability of

these principles would need to be analysed against the projection of US power to attain particular objectives. That is beyond the scope of this thesis. *Prima facie*, however, the principles would appear to be applicable to America's attempt, launched in 2003, to effect a settlement between the Israelis and Palestinians.

The approach to be pursued in relation to Israel and the Palestinians under the initiative announced in April 2003 shows that some of the lessons of the ill-fated Madrid process have been absorbed, principally by other interested parties but also by the US Administration. Those lessons include the benefits of operational planning and international cooperation. Having heard Bush's Administration commit to a two-state solution, the Europeans gave thought to how to realise that objective,¹² producing a performance-based and goal-driven roadmap¹³ that the United States undertook to pursue. The new plan's authority derives from its quartet of sponsors – the United States (power), the European Union (economic assistance), the United Nations (legitimacy) and the Russian Federation (a co-sponsor of the Geneva and Madrid conferences).¹⁴ This approach narrows the original objective of a comprehensive Arab-Israel settlement to the core question of the Israel-Palestinian relationship. The aggression displayed by both sides in the *al-Aqsa intifada* is qualitatively different from that of the earlier *intifada*. Israel's quiescent northern approaches suggest that the setting aside of Lebanon and Syria to a later date, and the priority accorded to the Palestinian question is appropriate to this second peace attempt. The roadmap defines the Palestinian objective with greater precision than that of the Madrid process, envisioning 'two states, Israel and sovereign, independent, democratic and viable Palestine, living side-by-side in peace and security'¹⁵ in 2005, although it is silent on contentious matters like border delimitation, area, sovereignty over the holy

¹² Ma'oz (2003). *Policy Brief: Israeli Options on the Road Map*. Washington DC, The Middle East Institute.

¹³ US Department of State (2003). *A Performance-based Roadmap*. Although crafted in 2002, it was not launched until April 2003.

¹⁴ Interview with Mr Terje Roed-Larsen, Personal Representative of the UN Secretary-General to the Palestinian Liberation Organization (PLO) and the Palestinian Authority (PA) on the West Bank and Gaza in Tel Aviv on 23 May 2002.

¹⁵ US Department of State (2003). *A Performance-based Roadmap*.

sites, and the future of Jerusalem.¹⁶ Tactically, the outcome is to be achieved by reciprocal steps undertaken within 'clear phases, timelines, target dates, and benchmarks' in the 'political, security, economic, humanitarian, and institution-building fields'. The plan's performance-based character is explicit. The quartet will evaluate the parties' performance on implementation against declared time-lines and a general expectation that they will perform their obligations in parallel.

Quandt is critical of the Clinton Administration for not having possessed 'a serious strategy for attaining [its] goal'.¹⁷ To some extent the roadmap remedies this defect. Its gradualist approach may be 'Oslo under a different name',¹⁸ but its compressed timeframe imparts a greater sense of commitment to achieving the designated target than that of the earlier process. Opinion may vary about the relative imposition on the parties as they proceed toward the target, and the fairness of the outcome,¹⁹ but both parties have professed support for it; and the Palestinian Authority secured an uncertain halt to the actions of militant Palestinian groups. Once again an attempt is being made to set aside prescriptive UN language, this time by Israel.²⁰

A hopeful situation has again been jeopardised by attacks on Israelis by Palestinian suicide bombers, and Israeli activity that seems certain to perpetuate Palestinian grievances. They are not of the peace-makers' making. Israel has begun constructing a wall that encroaches upon the June 1967 line. Erected to assure Israel's security, the wall isolates some Palestinian villages and Israeli settlements,²¹ and separates some Palestinians from their farm

¹⁶ Doran, M.S. (2003). "Q&A: Michael S. Doran on the Middle East road map." *The New York Times on the Web*, 1 August 2003. He said that 'Oslo and the road map take all of the really difficult political issues...and put them off until the end. Those are Jerusalem, borders, the return of Palestinian refugees, the uprooting of settlements, and so forth. Those are the issues that everybody is concerned about'.

¹⁷ Quandt (1999 (2nd edit.)). *New U.S. Policies for a New Middle East? The Middle East and the United States: a historical and political reassessment*. D.W. Lesch. Boulder CO, Westview Press. p.429

¹⁸ Agha, H. and R. Malley (2003). "Three Men in a Boat." *The New York Review of Books*, 14 August 2003

¹⁹ Said, E.W. (2003). "A road map to where?" *London Review of Books*, 19 June 2003, states that 'The road map, in fact, is not a plan for peace so much as a plan for pacification: it is about putting an end to Palestine as a problem'.

²⁰ Williams, I. (2003). UN offensive. *Middle East International* No.707 (22 August 2003). The Israeli foreign minister has launched a diplomatic initiative to rescind 'anti-Israel resolutions passed over the years by the UN and other international agencies'. p.15

²¹ Newman, D. (2003). "Time to Move." *The New York Times on the Web*, 2 August 2003

lands.²² Its value to Israel lies in sealing Palestinian territory behind an impermeable barrier. The wall's hermetic character has given rise to speculation that Israel's intent is to force an unviable, but 'independent' Palestine into a long-term arrangement with Jordan. Sharon has said that the wall's construction will continue.

The objective of the roadmap remains much the same as that of the Madrid process. Setting out anew on a more considered basis does not mean that the goal will be attained. The previous chapter exposed Clinton's weakness in failing to employ all the resources at his disposal. Could he have induced Netanyahu to stop building settlements? Can Bush persuade Sharon to stop building the wall? These examples do not cover the gamut of issues that need to be resolved. They expose questions, however, about the extent to which the United States can expect to persuade a sovereign democratic state, whose policies enjoy considerable domestic support, that an alternative course is in its national interest. The people of either side of the conflict have 'passions and interests' and the challenge for the Bush Administration is to 'alter the balance between them'.²³ This cannot be achieved overnight, or with a Palestinian Authority whose power has been severely circumscribed by Israel, but Israel can create the context in which Palestinians are more likely to pursue their 'interests' than their 'passions'. There is an instrument at the disposal of the Administration that could be used to encourage the Israelis to do so, and which could offset the cost of relocating settlers from the West Bank and Gaza to Israel.²⁴ Both relocation and the wall's construction are expensive, and the Israeli economy is in difficulty. The Administration is

²² United Nations (2003). *New Wall Projections*. UN New York, UN Office for the Coordination of Humanitarian Affairs. Only 11 per cent of the wall's length will run along the 1949 armistice line. It will be 687 kms long and is estimated to cost \$4.7 million per kilometre to build. It will annex 14.5 per cent of West Bank land into Israel. Approximately 680,000 Palestinians, or close to 30 per cent of the Palestinian population in the West Bank, will be directly harmed by the wall. <http://www.reliefweb.int> – accessed 12 November 2003; Said (2003). "A road map to where?"; Sheehan, E.R.F. (2003). "The Map and the Fence." *The New York Review of Books*, 3 July 2003

²³ Friedman. "Passions and Interests."

²⁴ Grunzweig, E. (2003). "Settlers positions towards withdrawal from territories." Peace Now (23 July 2003). More than 70 percent of settlers, a significant increase from previous polls, would agree eventually to leave the West Bank and Gaza if they were compensated, while 29 percent are ready to leave right away. Seventy-one percent of them said they believed that a peace agreement that would require them to leave their settlements was inevitable. <http://www.peacenow.org.il/English.asp?Redirect=4&CategoryID=5&ReportID=533> – accessed 28 August 2003

well-placed to argue that American financial assistance should be allocated to relocation rather than toward the building of the wall.²⁵ Bush *père* took affirmative action in relation to the settlements, but Clinton declined to do so.

It is clear that the resources to hand exceeded Clinton's inclination to maximise their efficacy. There was scope for the advancement of initiatives that lay untapped and avenues of persuasion that were not explored. The extent to which Clinton might have been advised to employ these resources is unclear. The responsibility to employ them lay with the president. Clinton made much of the fact that there was no issue to which he had devoted more time than that of a resolution of the Arab-Israel dispute, and that he had undertaken to work on that matter until his term expired. He engaged personally in negotiation, and invested the office of the President of the United States in the search for a solution. He tried to produce a settlement, first between Israel and Syria, and later between Israel and the Palestinians. He was not unduly constrained, he tried hard, but he could have tried harder for the United States's power was not extended. Its limits were empirically determined by the president's decision on how far he was prepared to go to achieve his objective. In the hands of someone averse to conflict, that was not far enough.

²⁵ *The Sydney Morning Herald*, 6 August 2003. "It's the Security Fence or Loans, US tells Israel." The Administration is considering deducting \$50 million from recently approved loan guarantees, 'and might make further deductions based on the amount Israel spent on roads being built to route Jewish settlers around Palestinian towns and villages'.

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